

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF COLLEGE STATION
JANUARY 22, 2015

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry, Mayor

Council:

Blanche Brick
Steve Aldrich
Karl Mooney
John Nichols
Julie Schultz
James Benham

City Staff:

Kelly Templin, City Manager
Carla Robinson, City Attorney
Chuck Gilman, Deputy City Manager
Ian Whittenton, Records Management Coordinator
Yvette Dela Torre, Deputy Local Registrar

Call to Order and Announce a Quorum is Present

With a quorum present, the Regular Meeting of the College Station City Council was called to order by Mayor Berry at 7:13 p.m. on Thursday, January 22, 2015 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77840.

1. Pledge of Allegiance, Invocation, consider absence request.

Mayor Berry presented a proclamation recognizing the 2014 Texas A&M women's soccer team for advancing to the NCAA College Cup for the first time in school history.

Citizen Comments

Ben Roper, 5449 Prairie Dawn Ct, came before Council to honor the service and sacrifice of Cpl. Tomas Sotelo, Jr.

Larry Whitley, 300 W Columbus St., Giddings, Texas, read a letter written by Ted Lynch, owner of Gold Star Taxi and provided written comments. The letter from Mr. Lynch stated why he

believes Uber is a Taxi service and would like the Council to take action on Uber's operations in College Station.

Jacob Yemme, 2903 Second St. #201A, Bryan, Texas, made a statement against the Uber service and requests Council take action on Uber's operations in College Station.

Cecil G. Behrens, 4737 CR377, Caldwell, Texas, stated why he believes Uber and its drivers are operating as a Taxi service. He asks the Council what they will do enforce the laws in College Station. He also provided written comments.

Henry Wittner, 2508 Raintree, came before Council to voice support for renaming Raintree Park in honor of Art Bright.

CONSENT AGENDA

2a. Presentation, possible action, and discussion of minutes for:

- **January 8, 2015 Workshop**
- **January 8, 2015 Regular Council Meeting**

2b. Presentation, possible action, and discussion regarding approval of a real estate contract in the amount of \$137,505 between the City of College Station (Buyer) and Maria Saenz-Limon (Seller) for the purchase of Lots 19-20, Block 2, Southland Addition, also known as 128 Southland Street.

2c. Presentation, possible action, and discussion regarding approval of Resolution 01-22-15-2c, that will authorize City staff to negotiate for the purchase of public utility easements and temporary construction easements needed for the Well Field Collection System Loop Project.

2d. Presentation, possible action, and discussion regarding the purchase of 80 traffic signal controllers from Iteris, Inc. to be implemented as part of the ITS Master Plan and approval of Resolution 01-22-15-2d, declaring intention to reimburse certain expenditures with proceeds from debt. The total cost of this purchase is \$200,000.

2e. Presentation, possible action, and discussion on approving the award of an annual price agreement, for the purchase of fleet oils and lubricants, to Kolkhorst Petroleum Co., Inc. for the amount of \$86,400.00. (Bid No. 15-019).

2f. Presentation, possible action, and discussion on approving annual tire purchases and retread services from Southern Tire Mart, LLC through the BuyBoard Purchasing Cooperative (Contract 140-14) in the amount of \$272,000.

2g. Presentation, possible action, and discussion on Ordinance 2015-3628, amending Chapter 7, "Health and Sanitation", of the code of ordinances of the City of College Station.

2h. Presentation, possible action, and discussion regarding Ordinance 2015-3632, amending Chapter 11, "Utilities" Section 4, "Electric Service" of the Code of Ordinances of the City of

College Station, Texas by adding subsection B entitled "Risk Management Policy" authorizing participation in the ERCOT congestion revenue rights (CRR) market and codifying procedures for managing risk exposure and the maintenance of associated documents; providing a severability clause; declaring a penalty; and providing an effective date.

2i. Presentation, possible action, and discussion on Semi-Annual Report for Impact Fees 92-01, 97-01, 97-02B, 99-01, and 03-02.

MOTION: Upon a motion made by Councilmember Nichols and a second by Councilmember Mooney, the City Council voted seven (7) for and none (0) opposed, to approve the Consent Agenda. The motion carried unanimously.

REGULAR AGENDA

Mayor Berry elected to hear Items 3 and 4 before Item 2.

1. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2015-3629, amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, by changing the zoning district boundaries from GS General Suburban to T Townhouse for approximately 1.84 acres for the property being a portion of a called 12.753 acre tract in the Crawford Burnett League, Abstract No. 7 as described by a deed to DWS Development, Inc. recorded in Volume 12198, Page 194 of the Official Public Records of Brazos County, Texas, generally located at 3270 Rock Prairie Road West.

Councilmember Schultz recused herself from this discussion.

Mark Bombeck, Planning and Development Services, reported this item is to rezone the property from General Suburban to Townhouse.

The Planning and Zoning Commission considered this item on January 5, 2015. Staff recommends approval with the condition that the gross density does not exceed 8 dwelling units per acre overall.

At approximately 7:35 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 7:35 p.m.

MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Aldrich, the City Council voted six (6) for and none (0) opposed, with Councilmember Schultz recusing herself, to adopt Ordinance 2015-3629, amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas, by changing the zoning district boundaries from GS General Suburban to T Townhouse for approximately 1.84 acres for the property being a portion of a called 12.753 acre tract in the Crawford Burnett League, Abstract No. 7 as described by a deed to DWS Development, Inc. recorded in Volume 12198, Page 194 of the Official Public Records of Brazos County, Texas, generally located at 3270 Rock Prairie Road West. The motion carried.

2. Public Hearing, presentation, possible action, and discussion regarding adoption of Ordinance 2015-3630, amending Chapter 4 "Business Regulations", Section 13 "Oil and Gas Regulations" of the Code of Ordinances, City of College Station, Texas; and Resolution 01-22-15-02, amending Chapter 14 "Service Fees", Section 14-6 "Development services", Subsection A "Oil and gas development application fees" the Code of Ordinances, City of College Station, Texas.

Chuck Gilman, Deputy City Manager, addressed the Council on the background, limitations of the factors under the control of the City, and the objectives of this Ordinance.

Alan Gibbs, City Engineer, reported that this item is to consider a proposed ordinance amendment that would update local regulations for permitting Oil and Gas Operations, as well as updating the associated fees. He also introduced Ernest Bruchez, an attorney and specialist in Oil and Gas law, who gave outside council on this matter.

Staff recommends adopting the ordinance amendment and approval of the resolution setting the associated fees.

At approximately 9:03 p.m., Mayor Berry opened the Public Hearing.

Kevin Burgess, 12036 Munson Ave., presented a Power Point presentation to the Council detailing what he believes are possible dangers to the community by fracking and the associated byproducts.

Obie O'Brien, 11515 Lakeside Place Dr., Houston, Texas, represents the Apache Corporation and spoke in favor of this ordinance.

Richard Woodward, 1001 Pershing Dr., presented a Power Point to council detailing what he feels are the dangers to the community and shortcomings of the ordinance.

Marty Allday, 2211 Norfolk #410, Houston, Texas, represents the Texas chapter of the Consumer Energy Alliance and spoke in support of the ordinance and potential energy production.

Denise Hoyt, 1108 Merry Oaks Dr., spoke against passage of the ordinance and focused on road issues that may be created by increased traffic from heavy vehicles.

Patricia Bailon, 3907 Lambermont Dr., stated that she appreciated Mr. Gibbs addressing the setback and generally spoke in favor of the ordinance based on economic development.

Bill Whitehead, 8604 Walnut Bend, stated he has no problems with noise or odor from the current oil operations in the city, and he believes that fracking can be done safely, so he supports this ordinance.

Tricia Davis, 22301 Hamilton Pool Rd., Dripping Springs, Texas, here on behalf of Texas Royalty Council, spoke in favor of the ordinance and stated she believes the setbacks are adequate and larger setbacks would impact mineral rights negatively.

Joseph Landsberg, 1706 Brazoswood Dr., urged the council to increase the buffer to 1,500 feet for fracking sites to dwellings and establishing a baseline of air, water, and soil to be monitored over time.

Shelley C. White, 902 Grand Oaks Cir., stated she is a tax lawyer by trade and that she understands the competing legal interests in this matter. She spoke in favor of the Ordinance and striking a balance between protecting the private property and mineral owners' rights. She also provided written comments.

Gunnar Schade, 800 Thomas St., presented a Power Point to the council focusing on deceptive techniques he believes are employed by the oil and gas industry. He believes the operations that this ordinance would allow will introduce a harmful level hydrocarbons into the community.

Todd Staples, 304 West 13th St., Austin, Texas, President of the Texas Oil and Gas Association, spoke in favor of the ordinance, stating why he believes fracking is safe and the setbacks adequate as written.

Richard White, 2233 Rockingham Loop, Chair man of the Board for the BCS Chamber of Commerce, spoke in favor of this ordinance and what he believes is developing a balance between development, science, and community safety.

Sarah Witherspoon, 1401 Post Oak Circle, urged the Council to strengthen the provisions to protect the community and children of College Station.

Mason L. Red Cashion, 3040 Hickory Ridge, supports approval of the ordinance and stated that he approves of the direction the city is headed in and believes that further development will have a positive impact.

David Alexander, 2903 Second St. #201A, Bryan, Texas, provided written comments.

Calleleh Bonugli, 5136 Drake Drive, believes that the Council should take a stronger stance on public safety with regards to fracking pollution and less emphasis on the rights of mineral owners.

Jan McMurrey, 3400 Mustang Ln., stated that she believes the Council is not following its mission statement if they cannot prove fracking to be safe and still approve this ordinance.

Julian McMurrey, 3400 Mustang Ln., addressed the Council with some information he found on the internet about the possible inconsistencies with the ordinances 25-ton VOC limit and current EPA regulations.

Donna Hanna-Calvert, 1004 Hereford, believes that the community's health may be at risk if the ordinance is approved, and she urged the council to consider the health of the community first.

Wendy Jepson, 726 Willow Loop, would like to see the ordinance changed to disallow the practice of flaring and not take into consideration the possibility of legal action against the city by mineral owners and developers when they consider the ordinance.

John O. Hastings, Jr., 1021 Main St., Suite 2450, Houston, Texas, provided written comments.

Sherry Ellison, 2705 Brookway Dr., urged that the council amend the ordinance to have a 1,500 foot setback, continuous monitoring of air quality by a third party, and require a pipeline with vapor recovery on all tanks.

Denise Snyder, 8404 Turtle Rock Loop, provided written comments.

Rusty Adams, 4403 Danby Ct., believes fracking has been proven safe and supports the ordinance, but believes that it has too many restrictions on development as written.

John Wynn, 4416 Crayke, provided written comments

Stephen E. Ogden, 3740 Copperfield Dr., #103, Bryan, Texas, representing Ogden Resources Corporation, stated he supports the ordinance as long as it does not impose higher insurance requirements on existing wells or renewal permits. He also provided written comments.

Randy Britten, 4004 Burt Rd., Bryan, Texas, supports the ordinance, but agrees with Mr. Ogden on the insurance requirements.

Christian Brannstrom, 726 Willow Loop, emphasized the need for a strong ordinance to protect community safety, and would like to see a 1,500 foot setback and see urban and rural permits treated the same.

Mary Saslow, 1004 Walton Dr., believes that the ordinance is strong, but has language that weakens its best provisions, and would like to see subjective language removed, and require the best available technology, and is concerned about the long term health of the local aquifer.

Henry Witiner, 2508 Raintree, believes that the oil and gas operators should have close oversight by the City and would like to see all setbacks equal and at either 1,000 or 1,500 feet.

Paul Rieger, 6001 Waldham Grove Ln., believes the restrictions and requirements that the ordinance places upon well owners are too burdensome.

David Sahm, 1017 James Parkway, stated he works in the fracking industry and believes that the ordinance is restrictive on business, but it also does not address some serious safety concerns. He also provided written comments.

Dan Hill, 1003 Sonoma Circle, head of Harold Vance Department of Petroleum Engineering at TAMU, stated that in his research on shale oil and gas drilling there is scientific evidence of danger

to the community. He also believes that a setback longer than 600 feet is a de facto ban on development.

Kate Shafer, 201 Hartford Dr., stated that some of the studies presented tonight have been picked to make the industry look better, and waiting for science to be more conclusive, does not deny mineral owners their rights.

Bill Bingham, 404 Fairview, urged council to not pass this ordinance and have it rewritten so that it addresses some of the concerns mentioned in the meeting as he believes the current ordinance will essentially end oil exploration in the city limits.

Nancy Plankey Videla, 1020 Francis Dr., believes the council should have the health of the community in mind, not allow 25-tons of VOC, and believes that the 6-ton VOC standard is better for the community.

Marie-Gabrielle Aletra, 2902 Brothers Blvd., is concerned about the long term effects of fracking and would like to see a 1,500 foot setback and continuous air, water, and soil quality monitoring. She also provided written comments.

Laurie Sorell, 7704 Sherman Ct., asked the council to consider monetary concerns second and the health of the community first.

Mike McCleary, 3649 Barron Cutoff, Wellborn, Texas, believes that the industry is safe and supports the proposed ordinance.

Suil Kang, 1706 Brazoswood Dr., is for requiring a 1,500 foot setback and a 95 percent vapor recovery rate for all tanks.

Lisa Halpern, 1811 Shadowwood Dr., stated that she believes there is a divide between studies and research done and who is funding it and would like the council to take this in mind when considering the ordinance.

Matt Holseth, 1000 Louisiana St., Houston, Texas, representing Halcon Resources, stated that he supports the ordinance as written and believes that it strikes a balance between all interests.

Sarah Brooks, 4760 Johnson Creek Loop, would like the council to know that pollution travels and would like a 1,500 foot setback in the ordinance.

David Burnett, 706 Park Place, stated that he supports this ordinance.

Cara Wallis, 7235 River Place Ct., provided written comments.

Audrey Patton, 306 Columbia Ct., provided written comments.

Joanne Mansell, 10021 Whites Creek, provided written comments.

There being no further comments, the Public Hearing was closed at 10:55 p.m.

MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Schultz the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance 2015-3630, amending Chapter 4 “Business Regulations”, Section 13 “Oil and Gas Regulations” of the Code of Ordinances, City of College Station, Texas; and Resolution 01-22-15-02, amending Chapter 14 “Service Fees”, Section 14-6 “Development services”, Subsection A “Oil and gas development application fees” the Code of Ordinances, City of College Station, Texas. The motion carried unanimously.

MOTION: Upon a motion made by Councilmember Mooney and a second by Councilmember Brick, the City Council voted two (2) for and five (5) opposed, with Councilmembers Benham, Schultz, Nichols, and Mayor Berry voting against, to amend the main motion to rephrase H(1)(b) on page 22 to clarify the setback of 600 feet is measured from the edge of the pad site to the property line. The motion failed.

A motion to amend the main motion was made by Councilmember Mooney to increase the setback distance from 600 feet to 1,000 feet. The motion died for lack of a second.

MOTION: Upon a motion made by Councilmember Brick and a second by Councilmember Mooney, the City Council voted two (2) for and five (5) opposed, with Councilmembers Benham, Schultz, Nichols, and Mayor Berry voting against, to amend the main motion to amend Section H(1)(c) to include residential areas in the 1,000 foot setbacks for schools and hospitals. The motion failed.

A motion was made by Councilmember Nichols and seconded by Councilmember Mooney, to change the VOC standard from 25 to 6 if staff can confirm that 6 is the prevailing standard. Councilmember Nichols withdrew his motion after clarification from staff.

3. Presentation, possible action, and discussion regarding adoption of Ordinance 2015-3631, directing staff to prepare a service plan and setting out public hearing dates and times for the annexation of approximately 200 acres on the southwest side of the City, generally bordered by FM 2154, Royder Road, and Greens Prairie Trail.

Lance Simms, Director of Planning and Development Services, reported that the ordinance will establish the date, times, and location for the two required annexation public hearings as:

- Tuesday, March 10 at 7:00 p.m. at Greens Prairie Elementary School; and
- Thursday, March 12 at 7:00 p.m. in the City Hall Council Chambers.

MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Schultz, the City Council voted seven (7) for and none (0) opposed, to adopt Ordinance 2015-3631, directing staff to prepare a service plan and setting out public hearing dates and times for the annexation of approximately 200 acres on the southwest side of the City, generally bordered by FM 2154, Royder Road, and Greens Prairie Trail. The motion carried unanimously.

4. Presentation, possible action, and discussion regarding the appointment of Chair to the Zoning Board of Adjustments.

MOTION: Upon a motion made by Councilmember Benham and a second by Councilmember Schultz, the City Council voted seven (7) for and none (0) opposed, to appoint Johnny Burns as Chair of the Zoning Board of Adjustments. The motion carried unanimously.

5. Adjournment.

MOTION: There being no further business, Mayor Berry adjourned the Regular Meeting of the City Council at 11: 35 p.m. on Thursday, January 22, 2014.


Nancy Berry, Mayor

ATTEST:


Sherry Mashburn, City Secretary

AFFIDAVIT OF CONFLICT OF INTEREST

STATE OF TEXAS
COUNTY OF BRAZOS

I, Julie Schultz as a member of the City of College Station make this affidavit and hereby, on oath, state the following: I, and/or a person or persons related to me, have a substantial interest in a business entity that would be peculiarly affected by a vote or decision of the City Council as those terms are defined in Chapter 171, Texas Local Government Code.

The business entity is: Schultz Engineering, LLC

Julie Schultz (have/has) a substantial interest in this business entity for the following reasons: (Check all that are applicable.)

- ☒ I own 10% or more of the voting stock or shares of the business entity;
- ☐ I own either 10% or more or \$5,000 or more of the fair market value of the business entity;
- ☐ Funds received by me from the business entity exceed 10% of my gross income for the previous year;
- ☐ Real property is involved and (I/we) have an equitable or legal ownership with a fair market value of \$2,500 or more;
- ☐ A relative of mine has a substantial interest in the business entity or property that would be affected by a decision of the public body of which I am a member.

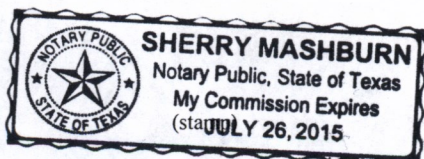
Upon the filing of this affidavit with the City Secretary, I affirm that I will abstain from voting on any decision involving this business entity and from any further participation on this matter whatsoever.

Signed this 22 day of January, 2015.

Julie Schultz
Signature of Official

Council Member
Title

BEFORE ME, the undersigned authority, on this day personally appeared Julie Schultz, who after being by me duly sworn and on his oath deposed and says that he/she has ready the above and foregoing and that every statement contained therein is with his/her personal knowledge and is true and correct.



Sherry Mashburn
Notary Public, State of Texas

College Station City Council Workshop Agenda
Sign In Sheet
Thursday, January 22, 2015 at 4:30 p.m.
City Hall Council Chamber

Mayor
Nancy Berry
Mayor Pro Tem
Blanche Brick
City Manager
Kelly Templin

Council Members
Karl Mooney
Steve Aldrich
John Nichols
Julie Schultz
James Benham

	Name	Address	Email or Phone No.
1.	Wendy Castro	9101 Riverstone Ct	wencastro@hotmail
2.	Shelley Caston White	902 Grand Oaks Cir	swhite904@gmail.com
3.	Marian + Gas Cotturan	9205 Whitney Ct.	marian.cotturan@hotmail.com
4.	Donna Hema-Gilbert	1004 Hereford C.S.	dhe-namaste@hotmail.com
5.	Mary Saslow	1004 Walton Dr. CS	marysaslow@gmail.com
6.	Brad & Holly Cheshire	4011 Running Brook Ct.	
7.	M. L. RED CASHION	3040 Hickory Ridge Circle-B	979-575-5898
8.	Cecel & Cathy Deliens	3747 & 2377 Caldwell	979-200-9427
9.	Larry Whitley	300 W Columbus Grounds	979-716-1209
10.	Eddie VELASCO	3180 CAIN Rd #135	979 595-5079
11.	FARVIZ VESSALI	110 PERSHING	979-693-6808
12.	Charles + Kristine White	1209 Skyline CT	713-659-9516
13.	Ashlyn Miller	940 Willow Pond C.S.	979-571-0601
14.	Penny Woodcock	1204 Haines	penny@uplinkit.com
15.	Austin Watcher		

*****Note this not a Hear Visitors form*** To speak on a particular item please file out the Citizen Speakers Form next to sign in sheet.**



**College Station City Council Workshop Agenda
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Thursday, January 22, 2015 at 4:30 p.m.
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	Name	Address	Email or Phone No.
1.	Royce Hickman	CHAMBER OF Commerce	Royce@BCSChamber.org
2.	Rich White	HEB CHAMBER CHAIR	white.rich@heb.com
3.	Lee Fedora	900 Emerald Dove	fedora.lanavasota@comcast.net
4.	Lisa Halperin	1811 Shadowwood Dr.	
5.	Laura Sorrell	7704 Sherman Ct. CS	lsorrell@gmail.com
6.	ALVARO G PEREIRA	PO Box 235, CS 77811	alvarogp@tamuc.edu
7.	Ray Thomas	3200 Greta Ct., CS 77845	RayThomasLaw@gmail.com
8.	Wilford Gardner	6403 Windwood Dr. CS 77845	wgarden@tamuc.edu
9.	JB Perre	2903 2nd St. #201 Baytown TX 77520	jbperre@comcast.net
10.	Samantha Bell	3747 CR 377	979 229 1625 Texi
11.	Trey Murphy	503 Southwest Pkwy Apt. 103	murphyt@tamuc.edu
12.	ARNOLDO LIMA	1501 Holleman Dr. #197	arnoldosan@gmail.com
13.	Dan Hill	1003 Sonoma Circle, College Station, TX	danhill@tamuc.edu
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	Name	Address	Email or Phone No.
1.	Bill Bingham	404 Fairview CS	977 764 0903
2.	CHANTAL VESSALI	110 PIERSHING	979-693-6808
3.	ELIANOR VESSALI	110 PIERSHING	979-693-6808
4.	Joseph Landsberg	1706 Brazerwood Dr CS	260-3143
5.	Sarah Witherspoon	401 Post Oak Circle, CS.	979-693-7813
6.	Robin McDowell	1109 Beckley Ct, CS	rcmcdowell@verizon.net
7.	Audrey Patton	306 COLUMBIAT CS	audrey.patton@inbox.com
8.	Sherry Ellerton	2705 Brookway Dr CS	ellison@traybar.com
9.	Shirley Dupriest	400 Fairview CS	on file
10.	Joanne Mansell	10021 Whites Creek Rd	979 846 1 039
11.	Wes Hameyer	307 W 7th St Fort Worth, TX 76102	512-818-1240
12.	Marie - Gabrielle ALÉTRU	2902 Browns Blvd CS	979 644-1469
13.	Morgan Hamilton	1723 Stirling Dr. CS	979 690-1878
14.	Ryan & Jeanne Nachreiner	2090 Carter Lake Dr.	713-582-1041
15.	Matt Williams	707 Wellesely Cr Apt D	1 708-207-0588

*****Note this not a Hear Visitors form*** To speak on a particular item please file out the Citizen Speakers Form next to sign in sheet.**

College Station City Council Regular Agenda
Sign In Sheet
Thursday, January 22, 2015 at 7:00 p.m.
City Hall Council Chamber

Mayor
Nancy Berry
Mayor ProTem
Blanche Brick
City Manager
Kelly Templin

Council Members
Karl Mooney
Steve Aldrich
John Nichols
Julie Schultz
James Benham

	Name	Address	Email or Phone No.
1.	Henry Wittenen	2508 RAINTREE	BB WEA @ Yahoo.com
2.	Robert Bruce	206 C LUTK	REE BRUCE @ Yahoo.com
3.	Rusty Adams	4403 Danby Ct.	rustyke.rustyadams.com
4.	Brad & Holly Cheshire	4011 Kunning Brook Ct	
5.	Michael Cleary	1903 Dartmouth	aggiecurbsideservice@gmail.com
6.	Christine Fuller	2105 Staunton dr.	fullerstaxi service@gmail.com
7.	MARC HAMMON	6195 Hardy Weeden Rd. CS	mhamlin@cox.net
8.	David Schim	1017 James PW, CS, TX	clavidschmpe@gmail.com
9.	Mike M-Cleary	3649 Barron Cut - Off Wellborn mpm Polce TX	cyber.com
10.	Jan & Julian M. Murray	3400 Mustang Ln CS	979-777-1714
11.	Susan Scott	1019 Guadalupe Dr CS	979 733 7833
12.	JAMES EADE		
13.	Calteleh Bonutti	5136 Drake Dr CS	979-692-1967
14.	DAVE BARNETT	706 A Park Pk	979 777 1974
15.	Reeshelle Jordan		jordanreeshelle@gmail.com

*****Note this not a Hear Visitors form*** To speak on a particular item please file out the Citizen Speakers Form next to sign in sheet.**

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Physicians, Scientists, and Engineers for Healthy Energy 2012

Online at <http://psehealthyenergy.com/>

Apr 2013



Public Health Dimensions of Shale Gas Development

Shale gas is developed using high-volume, horizontal, hydraulic fracturing (HVHF). HVHF includes the drilling and hydraulic fracturing events as well as the ancillary infrastructure required for the entire process. Data suggest that this process poses substantial risk to public health. However, the science and epidemiology is incomplete and more research is needed to adequately understand the public health dimensions of shale gas development and HVHF.

The Science in Short ...

- **Water and air contamination can occur throughout the lifecycle of shale gas development** - drilling, collecting, compressing, processing, storing, and sending to the gas market;
- **Health impacts of air pollutants** associated with shale gas development, such as benzene, trimethylbenzenes, xylenes, aliphatic hydrocarbons, diesel particulate matter, and ground-level ozone, are well documented;
- The majority of the identifiable chemicals used in HVHF activities are associated with both **immediate health impacts and long-term damage to organs and body systems due to chronic exposure**;
- There is **scientific documentation of water contamination** associated with shale gas development;
- **Children and low-income families** are especially vulnerable to pollutants from shale gas development.

Vulnerable Populations

Children are at particular risk given behaviors that often put them in closer contact with environmental contaminants. They eat, drink, and breathe more per unit of body weight and lack the same ability to metabolize and excrete chemicals as adults (Landrigan 2010). Further, given their age children have a longer shelf life for many diseases that have a long latency period.

This also applies to **prenatal** exposure to environmental toxins. For example, known consequences of prenatal exposure to airborne benzene include neural tube defects, cognitive impairment, and childhood leukemia (Whitworth 2008; Lupo 2010; Slama 2009).

Moreover, **low-income households** have a decreased financial ability to mitigate exposures (i.e. purchasing alternative water sources, such as “water buffalos”) and to treat health concerns (e.g. doctor visits, etc.).



Air Quality

Emissions of air pollutants from shale gas occur over the full life cycle of shale development.

A health assessment of exposure to air emissions from shale gas development in Colorado found that residents that live $\leq 1/2$ mile from well pads are at a greater risk of developing cancer and non-cancer health effects due to exposure than those living further away. Exposure to Trimethyl-benzenes, xylenes, and aliphatic hydrocarbons contributed most to the cumulative non-cancer, and benzene to the cumulative cancer risks (McKenzie 2012).

Nitrogen oxides (NO_x), volatile organic compounds (VOCs), and methane interact with sunlight to produce tropospheric, or ground-level ozone (O₃), a hazardous respiratory irritant that increases risks of morbidity and mortality (Jerrett 2009). Studies have determined that shale gas production is associated with elevated atmospheric concentrations of tropospheric O₃

concentrations in rural areas at levels found most often in heavily polluted areas of downtown Los Angeles, California (Schnell, et al. 2009; Kemball-Cook, et al. 2010; Olaguer 2012; Pétron, et al. 2012).

Diesel trucks emit **diesel particulate matter (DPM)**, a health damaging air pollutant that contributes to cardiovascular and respiratory diseases, atherosclerosis, and premature death (Pope 2002, 2004, CARB 2008). More than 1,000 diesel trucks are required to transport the water for one typical hydraulic fracturing event (EPA 2011). Multiple frac jobs per well and high well densities increases the cumulative health impact of fine diesel particulate.

The CDC identified **crystalline silica** in the form of “frac sand” as a significant hazard for workers and other populations in close geographic proximity. Humans exposed to crystalline silica dust are at a higher risk of developing silicosis, lung cancer, chronic obstructive pulmonary disease (COPD), chronic kidney diseases and a variety of autoimmune diseases (NIOSH/CDC 2002; Davis 1996; NTP 2012).

Groundwater Quality

As with air, risks to water quality can occur over the full life-cycle (Rozell, 2011).

Cases of water contamination by subsurface fluid migration remain largely anecdotal and difficult to document given the absence of baseline data and the existence of regulatory exemptions for HVHF that make chemical detection difficult. Although more studies are needed, there is scientific documentation of water contamination.

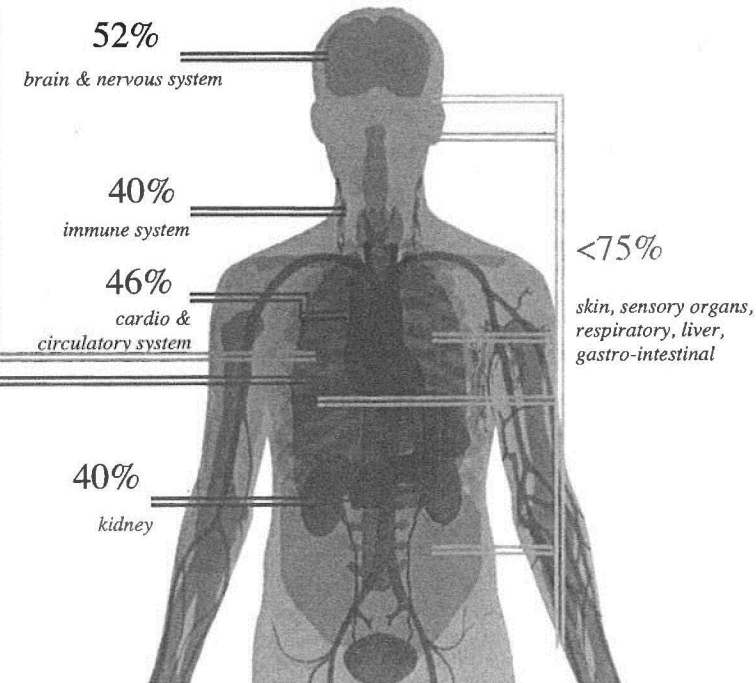
- The EPA analysis of groundwater in Pavillion, WY detected **benzene concentrations above federal standards, high methane levels, and synthetic chemicals** such as glycols and alcohols consistent with gas production and hydraulic fracturing fluids (EPA 2011).
- Osborn et al. (2011) tested 69 water wells & found groundwater near drilling areas contained **methane concentrations 17 times higher** than wells where drilling was not taking place.
- **Evidence of fluid/gas migrations pathways** to drinking water aquifers have also been modeled (Myers 2012) and found in field

+ ground-level ozone

- Coughing, irritation of the airways, discomfort in the chest or when breathing
- Premature aging of the lungs
- Faster or more shallow breathing
- Aggravation of asthma, emphysema, and other respiratory diseases
- Increased risk of respiratory infections
- Premature death (primarily among older adults and those with existing heart and lung disease)

+ DPM

- Faster or more shallow breathing
- Aggravation of asthma, emphysema, and other respiratory diseases
- Increased risk of respiratory infections
- Premature death (primarily among older adults and those with existing heart and lung disease)



Colborn et al. (2011) identified chemical information on 353 of 632 additives reported in natural gas operations and profiled a number of possible health effects of the soluble and volatile chemicals used.

Left & Center: % of identified chemicals used in HVHF with immediate or chronic/long-term damage to organs and body systems (Adapted from Colborn et al. 2011). > 25% of the chemicals are **carcinogens/ mutagens**
Right: health impacts of ground-level ozone and diesel particulate matter

What goes into the ground?

Frac fluids - water based fluids used in HVHF:

Water + proppant (usually silica sand) + and a variety of chemicals:
ethylene glycol
monobutyl ether
isopropanol
glutaraldehyde
methanol
xylene
naphthalene.

What comes back up?

Flowback and Produced waters:
chlorides
salts
lead
arsenic
bromide
radionuclides/radon
BTEX
other contaminants
frac fluid.

The majority of flowback and produced water is too costly to clean and wastewater disposal is a problem (Alley 2011).

Joe Orr, Inc.

A BASELINE CORPORATION CO.

Post Office Box 11979

College Station, TX 77842-1979

(979) 693-2777

TBPLS Firm no. 100544-00

Proposed Annexation Area – 233.10 Acres

Wellborn – Greens Prairie Trail Area

Brazos County, Texas

19 January 2015

All of that certain tract or parcel of land lying and being situated in the Samuel Davidson survey (abstract no. 13) in Brazos County, Texas, adjoining the present City of College Station city limits as described in Ordinance no. 3248 and no. 2011-3331, being bounded on the west by the southwest right-of-way line of Union Pacific Railroad, on the north by the southeast line of that 0.88 acre tract conveyed to the Eugene B. Savage III Revocable Trust (vol. 7912, pg. 257), on the east by the southwest right-of-way line of Royder Road, and on the south by the southeast boundary of the Estates of Royder Ridge and Crossroad Woods subdivisions, and being more particularly described as follows:

Beginning at intersection of the southwest right-of-way line of Union Pacific Railroad (100' width, vol. 23, pg. 121), with a southeast line of the existing city limits of College Station as defined in Ordinance no. 2011-3331, being approximately in the northwest line of the said Samuel Davidson original survey, from where the City of College Station GPS control monument no. 134 bears N 1° 22' 07" W – 1681.4 feet;

Thence N 69° 59' 28" E – 202.55 feet, with said City Limits, crossing the rights-of-way of said railroad and F.M. 2154 (Wellborn Road, 100' width, vol. 202, pg. 575), to the south corner of said Savage Trust tract;

Thence N 45° 09' 51" E – 412.49 feet, along the southeast line of said Savage Trust tract, to the southwest line of Royder Road;

Thence along the said southwest line of Royder Road (vol. 7088, pg. 290) as follows:

S 47° 21' 31" E – 860.95 feet, to an angle point,

S 47° 48' 25" E – 1815.14 feet, to an angle point, also being in the northeast line of that 53.51 acre tract conveyed to College Station I.S.D. (vol. 9577, pg. 268),

S 47° 34' 56" E – 396.84 feet, to an angle point,

S 48° 30' 03" E – 273.93 feet, to an angle point,

S 48° 59' 26" E – 91.82 feet, to the east corner of the said I.S.D. tract in the northwest line of the Estates of Royder Ridge Phase Two (vol. 4377, pg. 205);

Thence N 42° 25' 46" E – 4.08 feet, along the northwest line of said Royder Ridge, to a corner in the southwest line of Royder Road as described by said plat of Phase Two;

Thence along the said southwest line of Royder Road, as described by plats of said Phase Two and Estates of Royder Ridge Phase One (vol. 4119, pg. 120), as follows:

S 44° 52' 49" E – 79.19 feet, to the beginning of a tangent curve to the right
 (radius= 770.00 feet),
 Along said curve, through a central angle of 6° 00' 26", to its point of tangency,
 S 38° 52' 23" E – 433.04 feet, to the beginning of a tangent curve to the left
 (radius= 830.00 feet),
 Along said curve, through a central angle of 12° 44' 30", to its point of tangency,
 S 51° 36' 53" E – 16.09 feet, to the beginning of a tangent curve to the right
 (radius= 35.00 feet),
 Along said curve, through a central angle of 93° 58' 27", to its end in the northwest line of
 Greens Prairie Trail and the present city limits line, as described in Ordinance no. 3248;

Thence S 42° 21' 34" W – 2206.47 feet, along the northwest line of Greens Prairie Trail (100' width,
 vol. 1243, pg. 274), also being the southeast boundary of the said Estates of Royder Ridge Phase
 Two and Phase One subdivisions, to the beginning of a tangent curve to the right (R=904.93');

Thence along the arc of said curve through a central angle of 7° 46' 53" to the east corner of Lot 1
 in Block One of the Crossroad Woods subdivision (vol. 1697, pg. 219);

Thence S 47° 56' 03" E – 101.12 feet across Greens Prairie Trail, to the north corner of Lot 1 in
 Block Two of said Crossroad Woods subdivision, also being the west corner of that 46.027 acre
 tract conveyed to College Station Independent School District (vol. 8256, pg. 42);

Thence S 48° 02' 08" E – 504.17 feet, along the common line of said Block Two and said 46.027
 acre tract, to their common corner;

Thence S 41° 41' 43" W - 41.35 feet, to the north corner of that 42.214 acre tract conveyed to John.
 M. Duncum and wife, Diane Duncum (vol. 2724, pg. 215), being the last point of this described
 tract in common with present city limits lines;

Thence S 41° 47' 01" W – 637.43 feet, along the common line of said Block Two and the Duncum
 Tract, to an angle point in the south lines of Lot 2 of Block Two, also being the northeast corner of
 that 2.924 acre tract conveyed to Floyd Dale Collins and Grietje Collins (vol. 2622, pg. 84);

Thence S 79° 03' 48" W – 224.39 feet, along the common line of said Lot 2, Block Two and said
 Collins tract, to the southwest corner Lot 2, also being the east corner of that 2.50 acre tract conveyed
 to Brenda Kay Smith (vol. 946, pg. 759 and vol. 4087, pg. 273);

Thence N 10° 56' 12" W – 203.84 feet, along the common line of said Lot 2, Block Two and said
 Smith tract, to the common corner of the Smith tract and Lot 3 of said Block Two;

Thence S 79° 03' 48" W – 734.72 feet, along the common line between Lots 3, 4 and 5 of said Block
 Two and said Smith Tract, and continuing across said F.M. 2154 and Union Pacific Railroad rights-
 of-way, to a point in the east line of that 83.34 acre tract conveyed to the Santana Revocable Trust
 (vol. 7145, pg. 286);

Thence N 10° 54' 24" W – 5296.56 feet, along the west right-of-way line of said Union Pacific
 Railroad, to the Point of Beginning and containing 233.10 acres of land more or less.

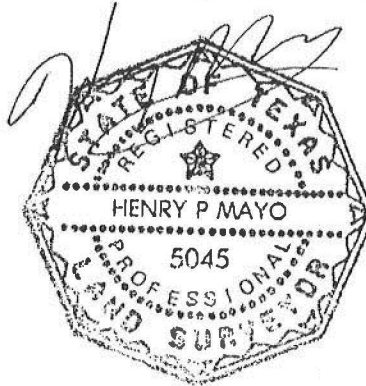
Bearings are Texas State Plane, NAD83(CORS) datum, based on City of College Station GPS control monuments and GPS observations.

Volume and page numbers cited refer to the Brazos County public records.

No monuments were set for this survey and found monuments are not cited.

This document was prepared under 22 TAC §663.21 does not reflect the results of an on the ground survey and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

See survey plat dated January 2015.



✓ - Exhibit Map -
Proposed Annexation Area - 233.10 acres
Wellborn - Greens Prairie Trail Area
Samuel Davidson League A-13
Brazos County, Texas

Council Meeting

1/22/15

HEAR VISITORS

1. Jacob Balanoe Yemme
2. Cecil G. Behrens (oral & written)
3. Ben Roper
4. Larry Whitley
5. Harry Witiner

PUBLIC HEARING #1 -- NONE

PUBLIC HEARING #2

- | | |
|-------------------------------------|--|
| 1. Kevin Burgess | 30. Mary Saslow |
| 2. Obie O'Brien | 31. Henry Witiner |
| 3. Richard Woodward | 32. Paul Rieger |
| 4. Marty Allday | 33. David Sahm (oral & written) |
| 5. Denise Hoyt | 34. Dan Hill |
| 6. Patricia Bailon | 35. Kate Shafer |
| 7. Bill Whitehead | 36. Bill Bingham |
| 8. Tricia Davis | 37. Nancy Plankey Videla |
| 9. Joseph Landsberg | 38. <u>Marie-Gabrielle Aletru</u> (oral & written) |
| 10. Shelley C. White (written) | 39. Joanne Mansell (written) |
| 11. Gunnar Schade | 40. Laurie Sorell |
| 12. Todd Staples | 41. Cara Wallis |
| 13. Richard White | 42. Mike McCleary |
| 14. Sarah Witherspoon | |
| 15. Mason L Red Cashion | |
| 16. David Alexander (written) | |
| 17. Calleleh Bonugli | |
| 18. Jan McMurrey | |
| 19. Julian McMurrey | |
| 20. Donna Hanna-Calvert | |
| 21. Wendy Jepson | |
| 22. John O. Hastings, Jr. (written) | |
| 23. Sherry Ellison | |
| 24. Denise Snyder (written) | |
| 25. Rusty Adams | |
| 26. John Wynn | |
| 27. Stephen E. Ogden (written) | |
| 28. Randy Britten | |
| 29. Christian Brannstrom | |



CITY OF COLLEGE STATION
Home of Texas A&M University®

CITIZEN COMMENT SIGN-UP FORM

Regular Meeting Date: 01/22/15
MM / DD / YY

**** Please PRINT all information ****

Name: Ben Roper Phone: 979-777-0382

Address: 5449 Prairie Dawn Ct, College Station, Tx

Email: broper0001@hotmail.com Comments: ☐ WRITTEN ☒ ORAL

Comments are presented for: ☒ HEAR VISITORS ☐ AGENDA ITEM # _____

FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

☐ COMMENTS CONTINUED ON ATTACHED DOCUMENT OF _____ PAGE(S)

FOR ORAL COMMENTS:

1. YOU MUST SIGN UP PRIOR TO THE SCHEDULED MEETING
(At the City Secretary's Office during regular business hours, or from 5:00 p.m. to 6:45 p.m. the day of the meeting.);
2. YOU WILL HAVE ONE OPPORTUNITY TO SPEAK; AND
3. YOU MUST OBSERVE THE 3-MINUTE TIME LIMIT. (Time cannot be transferred to another speaker.)

Inquiries from speakers about matters not listed on the agenda will either be directed to the Staff or placed on a future agenda for Council consideration. **See reverse side for additional rules.**

MAIL, FAX OR EMAIL COMPLETED FORM TO:

City of College Station
City Secretary's Office – City Hall
1101 Texas Avenue, College Station, Texas 77840
Fax: 979-764-6377
Email: smashburn@cstx.gov

OFFICE USE ONLY:
(# in which received)

3



CITIZEN COMMENT SIGN-UP FORM

Regular Meeting Date: 01/22/14
MM/DD/YY

**** Please PRINT all information ****

Name: Larry Whitley Phone: 979-716-1709
Address: 300 W Columbus St Grodding's TX
Email: LarryWhitley@yahoo.com Comments: ☒ WRITTEN ☒ ORAL
Comments are presented for: ☒ HEAR VISITORS ☐ AGENDA ITEM # _____

FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

UBER Ride Share (see attached)

☒ COMMENTS CONTINUED ON ATTACHED DOCUMENT OF 5 PAGE(S)

FOR ORAL COMMENTS:

1. YOU MUST SIGN UP PRIOR TO THE SCHEDULED MEETING
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Email: smashburn@cstx.gov

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4

Good evening. My name is Ted Lynch. I own Gold Star Taxi. I am here tonight to express my views on changing the City Ordinance Sec. 4-6 Taxicabs. It is my understanding that there has been a request to review and change the ordinance to incorporate provisions that would allow app base co. such as uber, lift and others to operate in the city without going through the permitting process.

These app base companies have swept across the nation and the world using words like ride share company and partners. Making statements like, we're just a soft wear developer, we're just connecting drivers to passengers, and we're providing jobs to people who need.

In fact by definition these companies are operating as a taxi company. In the ordinance the definition for driver is spelled out in paragraph (A) subsection 4. and the definition for taxicab is spelled out in paragraph (A) subsection 7. Finally the definition for owner or operator is spelled out in paragraph (A) subsection 8.

Uber refers to its drivers as partners. Claims they are independent contractors and not employees, although the IRS defines them under these publications as employees in one form or another. Not as a partner as defined in these same publications but as an employees, therefore Uber as defined in these publications is an employer. Employer of Owner operators using their own vehicles as taxis and acting as taxi drivers as described in the City Ordinance Sec.4-6,-taxicabs.

Uber is a soft wear developer they developed a dispatch system to sell to taxi companies to manage their fleets. These systems are currently on the market for taxi companies including Uber itself. When that didn't provide enough profit they started using this dispatch system as a taxi company without acquiring the proper permits and licenses.

In summation Uber is a taxi company, according to the City Ordinance as it is written there drivers are taxi drivers and their vehicles are taxi cabs. I feel as the owner of a legally licensed and permitted taxi company in the city of College Station and Bryan as do my fellow owners that uber should be made to fully comply with the City Ordinance without any changes to its content.

Uber claims to have created jobs in reality they have taken jobs from dispatchers in the taxi industry and made criminals out of its own drivers.



Helpful Definitions and Acronyms for EITC

Adopted Child— An adopted child is always treated as your own child. This includes a child who was lawfully placed with you for legal adoption.

AGI or Adjusted Gross Income — AGI includes all your income minus certain deductions. You use your AGI to find out if you qualify for EITC and for finding the amount of EITC you receive. Find the amount of your AGI on line 36 on Form 1040, line 21 on Form 1040A, and line 4 on Form 1040EZ.

ATIN, Adoption Taxpayer Identification Number — IRS issues an ATIN as a temporary taxpayer identification number for a child when the adopting parents do not have and cannot get a SSN, Social Security number, until the adoption is final.

Authorized Placement Agency — An authorized placement agency includes:

- An agency of a state or local government agency
- A tax-exempt organization licensed by a state
- An Indian tribal government
- An organization authorized by an Indian tribal government
- A court

Child Who Was Kidnapped — You may be able to claim EITC for a child who was kidnapped by a non-family member. IRS treats a kidnapped child as living with you for more than half of the year if the child lived with you for more than half the part of the year before the date of the kidnapping.

CTC — Child Tax Credit — Many people who have a qualifying child for EITC also qualify for CTC. If your child is younger than age 17, find out if you qualify for CTC. For more information, see Publication 972.

Child with Disabilities — You may be able to claim a relative who is any age and permanently and totally disabled if the relative meets all other qualifications to be your qualifying child for EITC. IRS considers a child permanently and totally disabled if both of the following are true:

1. The child cannot engage in any substantial gainful activity because of a physical or mental condition.
2. A doctor determines the condition has lasted or can be expected to last continuously for at least a year or can lead to death.

For more information, see our page, Disability and Earned Income Tax Credit.

e-file — For faster and accurate processing of your tax return, you can file electronically by yourself or through your return preparer using the IRS e-file program.

EIC — See EITC below.

EITC — The Earned Income Tax Credit which is sometimes called EIC or Earned Income credit is a refundable tax credit for eligible people who work and have income less than specified amounts. The amount of the credit is based on your income, filing status, if you do or don't have a qualifying child and the number of qualifying children.

EITC Assistant — Find out if you are eligible for EITC by answering questions and providing basic income information. The EITC Assistant also estimates the amount of your EITC. The Assistant is also available in Spanish.

VITA, Volunteer Income Tax Assistance – The VITA Program offers free tax help to people with incomes less than \$50,000. IRS-certified volunteers prepare returns for free and help answer your tax return filing questions. For more information on the program or to find sites, see our [Free Tax Return Preparation](#) page.

[Return to EITC Home page](#)

Page Last Reviewed or Updated: 05-Feb-2014



1. Definitions You Need To Know

Table of Contents

- [Other options.](#)
- [Exception.](#)

Certain terms used in this publication are defined below. The same term used in another publication may have a slightly different meaning.

Annual additions. Annual additions are the total of all your contributions in a year, employee contributions (not including rollovers), and forfeitures allocated to a participant's account.

Annual benefits. Annual benefits are the benefits to be paid yearly in the form of a straight life annuity (with no extra benefits) under a plan to which employees do not contribute and under which no rollover contributions are made.

Business. A business is an activity in which a profit motive is present and economic activity is involved. Service as a newspaper carrier under age 18 or as a public official is not a business.

Common-law employee. A common-law employee is any individual who, under common law, would have the status of an employee. A leased employee can also be a common-law employee.

A common-law employee is a person who performs services for an employer who has the right to control and direct the results of the work and the way in which it is done. For example, the employer:

- Provides the employee's tools, materials, and workplace, and
- Can fire the employee.

Common-law employees are not self-employed and cannot set up retirement plans for income from their work, even if that income is self-employment income for social security tax purposes. For example, common-law employees who are ministers, members of religious orders, full-time insurance salespeople, and U.S. citizens employed in the United States by foreign governments cannot set up retirement plans for their earnings from those employments, even though their earnings are treated as self-employment income.

However, an individual may be a common-law employee and a self-employed person as well. For example, an attorney can be a corporate common-law employee during regular working hours and also practice law in the evening as a self-employed person. In another example, a minister employed by a congregation for a salary is a common-law employee even though the salary is treated as self-employment income for social security tax purposes. However, fees reported on Schedule C (Form 1040), Profit or Loss From Business, for performing marriages, baptisms, and other personal services are self-employment earnings for qualified plan purposes.

Compensation. Compensation for plan allocations is the pay a participant received from you for personal services for a year. You can generally define compensation as including all the following payments.

1. Wages and salaries.
2. Fees for professional services.
3. Other amounts received (cash or noncash) for personal services actually rendered by an employee, including, but not limited to, the following items.
 - a. Commissions and tips.
 - b. Fringe benefits.
 - c. Bonuses.

For a self-employed individual, compensation means the earned income, discussed later, of that individual.

Compensation generally includes amounts deferred in the following employee benefit plans. These amounts are elective deferrals.

- Qualified cash or deferred arrangement (section 401(k) plan).
- Salary reduction agreement to contribute to a tax-sheltered annuity (section 403(b) plan), a SIMPLE IRA plan, or a SARSEP.
- Section 457 nonqualified deferred compensation plan.
- Section 125 cafeteria plan.

However, an employer can choose to exclude elective deferrals under the above plans from the definition of compensation. The limit on elective deferrals is discussed in chapter 2 under *Salary Reduction Simplified Employee Pension (SARSEP)* and in chapter 4.

Other options. In figuring the compensation of a participant, you can treat any of the following amounts as the employee's compensation.

- The employee's wages as defined for income tax withholding purposes.
- The employee's wages you report in box 1 of Form W-2, Wage and Tax Statement.
- The employee's social security wages (including elective deferrals).

Compensation generally cannot include either of the following items.

- Nontaxable reimbursements or other expense allowances.
- Deferred compensation (other than elective deferrals).

SIMPLE plans. A special definition of compensation applies for SIMPLE plans. See chapter 3.

Contribution. A contribution is an amount you pay into a plan for all those participating in the plan, including self-employed individuals. Limits apply to how much, under the contribution formula of the plan, can be contributed each year for a participant.

Deduction. A deduction is the plan contributions you can subtract from gross income on your federal income tax return. Limits apply to the amount deductible.

Earned Income. Earned income is net earnings from self-employment, discussed later, from a business in which your services materially helped to produce the income.

You can also have earned income from property your personal efforts helped create, such as royalties from your books or inventions. Earned income includes net earnings from selling or otherwise disposing of the property, but it does not include capital gains. It includes income from licensing the use of property other than goodwill.

Earned income includes amounts received for services by self-employed members of recognized religious sects opposed to social security benefits who are exempt from self-employment tax.

If you have more than one business, but only one has a retirement plan, only the earned income from that business is considered for that plan.

Employer. An employer is generally any person for whom an individual performs or did perform any service, of whatever nature, as an employee. A sole proprietor is treated as his or her own employer for retirement plan purposes. However, a partner is not an employer for retirement plan purposes. Instead, the partnership is treated as the employer of each partner.

Highly compensated employee. A highly compensated employee is an individual who:

- Owned more than 5% of the interest in your business at any time during the year or the preceding year, regardless of how much compensation that person earned or received, or
- For the preceding year, received compensation from you of more than \$115,000 (if the preceding year is 2012, 2013, or 2014) and, if you so choose, was in the top 20% of employees when ranked by compensation.

Leased employee. A leased employee who is not your common-law employee must generally be treated as your employee for retirement plan purposes if he or she does all the following.

- Provides services to you under an agreement between you and a leasing organization.
- Has performed services for you (or for you and related persons) substantially full time for at least 1 year.
- Performs services under your primary direction or control.

Exception. A leased employee is not treated as your employee if all the following conditions are met.

1. Leased employees are not more than 20% of your non-highly compensated work force.
2. The employee is covered under the leasing organization's qualified pension plan.
3. The leasing organization's plan is a money purchase pension plan that has all the following provisions.
 - a. Immediate participation. (This requirement does not apply to any individual whose compensation from the leasing organization in each plan year during the 4-year period ending with the plan year is less than \$1,000.)
 - b. Full and immediate vesting.
 - c. A nonintegrated employer contribution rate of at least 10% of compensation for each participant.

However, if the leased employee is your common-law employee, that employee will be your employee for all purposes, regardless of any pension plan of the leasing organization.

Net earnings from self-employment. For SEP and qualified plans, net earnings from self-employment is your gross income from your trade or business (provided your personal services are a material income-producing factor) minus allowable business deductions. Allowable deductions include contributions to SEP and qualified plans for common-law employees and the deduction allowed for the deductible part of your self-employment tax.

Net earnings from self-employment does not include items excluded from gross income (or their related deductions) other than foreign earned income and foreign housing cost amounts.

For the deduction limits, earned income is net earnings for personal services actually rendered to the business. You take into account the income tax deduction for the deductible part of self-employment tax and the deduction for contributions to the plan made on your behalf when figuring net earnings.

Net earnings include a partner's distributive share of partnership income or loss (other than separately stated items, such as capital gains and losses). It does not include income passed through to shareholders of S corporations. Guaranteed payments to limited partners are net earnings from self-employment if they are paid for services to or for the partnership. Distributions of other income or loss to limited partners are not net earnings from self-employment.

For SIMPLE plans, net earnings from self-employment is the amount on line 4 of Short Schedule SE or line 6 of Long Schedule SE (Form 1040), Self-Employment Tax, before subtracting any contributions made to the SIMPLE plan for yourself.

Qualified plan. A qualified plan is a retirement plan that offers a tax-favored way to save for retirement. You can deduct contributions made to the plan for your employees. Earnings on these contributions are generally tax free until distributed at retirement. Profit-sharing, money purchase, and defined benefit plans are qualified plans. A 401(k) plan is also a qualified plan.

Participant. A participant is an eligible employee who is covered by your retirement plan. See the discussions of the different types of plans for the definition of an employee eligible to participate in each type of plan.

Partner. A partner is an individual who shares ownership of an unincorporated trade or business with one or more persons. For retirement plans, a partner is treated as an employee of the partnership.

Self-employed individual. An individual in business for himself or herself, and whose business is not incorporated, is self-employed. Sole proprietors and partners are self-employed. Self-employment can include part-time work.

Not everyone who has net earnings from self-employment for social security tax purposes is self-employed for qualified plan purposes. See *Common-law employee and Net earnings from self-employment*, earlier.

In addition, certain fishermen may be considered self-employed for setting up a qualified plan. See Publication 595, Capital Construction Fund for Commercial Fishermen, for the special rules used to determine whether fishermen are self-employed.

Sole proprietor. A sole proprietor is an individual who owns an unincorporated business by himself or herself, including a single member limited liability company that is treated as a disregarded entity for tax purposes. For retirement plans, a sole proprietor is treated as both an employer and an employee.

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**** Please PRINT all information ****

Name: Jacob Balanor Yemme Phone: (979) 846-2233
Address: 2903 Second St #201A Bryan Tx 77801
Email: Takponadwo1955@gmail.com Comments: ☒ WRITTEN ☒ ORAL

Comments are presented for: ☐ HEAR VISITORS ☐ AGENDA ITEM # _____

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**** Please PRINT all information ****

Name: Cecil G Behrens Phone: 979-200-9477
Address: 3747 C.R. 377 Caldwell TX 77836
Email: Cecilbehrens@yahoo.com Comments: ☒ WRITTEN ☒ ORAL
Comments are presented for: ☒ HEAR VISITORS ☐ AGENDA ITEM # _____

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Sec. 4-6. Taxicabs.**A. Definitions.**

For the purpose of this Section, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- (1) **Applicant** means any individual, firm or corporation in the process of attaining either a license to operate or a City taxi driver permit.
- (2) **City** means the City of College Station, Texas.
- (3) **Cruise or cruising** means the movement of unoccupied taxicabs over the public streets of the City in search of or soliciting prospective passengers for hire; provided, however, unoccupied taxicabs proceeded to answer a telephone call for taxicab service from an intending passenger, and taxicabs returning to the place where such taxicab is housed or to the place of discharge of the passenger or passengers, shall not be considered to be cruising.
- (4) **Driver or chauffeur** means every person in actual charge of operation of a taxicab whether as owner or agent, servant or employee of the owner.
- (5) **License** means the authority granted by the City to operate a taxicab or taxicabs and shall authorize such operator of a taxicab or taxicabs to engage in the business of transportation by taxicab.
- (6) **Overcrowding** means that the driver is transporting a greater number of people in the vehicle than has been recommended by the manufacturer of the vehicle or for whom there is no seat belt, inclusive of the driver.
- (7) **Taxicab and limousine**, as distinguished below, shall collectively encompass all vehicles which transport passengers for hire, except only for those classes of vehicles which are specifically excluded by subsection B.(8) of this Section. "Taxicab" service shall be distinguished from "limousine" service in the following manner:
 - (a) "Taxicab" service is rendered in prompt response to receipt of the request for service from the customer. Such requests are typically received in one (1) of the following ways:
 - (i) Via telephone, in which case a dispatcher forwards the customer's request to a taxicab driver via two-way radio as soon as a taxicab vehicle is available to respond.
 - (ii) Via direct contact, in which case the customer communicates directly with the driver of a taxicab waiting at a motel, hotel, airport, or bus terminal or similar location.
 - (iii) Via direct contact in which case a customer hails or flags down a passing taxicab.
 - (b) "Limousine" service is chartered or reserved by the customer at a minimum of twenty-four (24) hours in advance of the time the service is rendered.
- (8) **Owner or operator** means any person who has the control, direction, maintenance, and the benefit of the collection of revenue derived from the operation of taxicabs on or over the streets of the City whether as owner or otherwise, except "driver" as herein defined.
- (9) **Taxi driver permit** means a permit issued by the City to the driver of a taxicab meeting the qualifications as described within this Section.

UBER

- (10) **Terminal** means the depot at which place the taxicabs shall be housed or parked, and at which place the telephone calls and requests for service shall be made, and at which place a dispatcher shall control the movements of the taxicabs to the points of request for taxicab service; this word shall likewise be synonymous with taxi terminal and shall mean and embrace that space and area of land and buildings off of the streets of the City, and upon private property, and shall be and constitute the main office of the owner and taxicab operator.
- (11) **Vehicle permit** means a permit issued by the City to the owner of a taxi cab that has been issued a license by the City to operate within the City, and that taxicab has met the qualifications as described within this Section.
- (12) **Jitney** is a motor vehicle designed to carry fifteen (15) or fewer persons, including the driver, and used to transport passengers for hire.

B. Exceptions.

The provisions of this Section shall not apply to the following:

- (1) Motor buses regularly operated in the City to or from points outside of the incorporated limits of the City or transporting to or from school or college.
- (2) Ambulances operating under permit from this City or another City.
- (3) Vehicles rented or leased for self-operation by the person actually driving the same, unless such vehicle is transporting for compensation persons other than the one who actually rented or leased the same.
- (4) Vehicles owned or operated by motels, hotels, and other businesses for transporting their guests or employees without charge. This chapter shall apply, however, to other companies or individuals providing such service under a contract with said motels, hotels, or other businesses.
- (5) Any vehicle being operated pursuant to a franchise or permit legally issued by the Texas Railroad Commission or the Interstate Commerce Commission.
- (6) Transportation of people where the taxicab or limousine is licensed by another governmental entity from a point outside College Station to a destination inside College Station if the taxicab or limousine leaves College Station without receiving a passenger inside College Station.
- (7) Horse-drawn carriages.
- (8) Limousines.
- (9) [Repealed.]

C. Taxicab service license.

(1) License—Required.

- (a) It shall be unlawful for an individual, firm, or corporation to drive or operate or cause to be driven or operated any taxicab service upon or over any street in the City unless there has first been obtained for such service, a license duly issued by the City as hereinafter provided.

(2) License—Application

- (a) Application for Taxicab License Service within the City shall be filed with the City of College Station, Texas on a form provided by the City. Applications shall be filed on or before December 1 of each calendar year. The applicant shall provide the following information on such form:
 - (i) Name of the owner, or person by whom such permit is desired;
 - (ii) Name of company;
 - (iii)



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Name: Henry Witter Phone: _____

Address: 2508 RAINTREE

Email: gambol12@Suddenlink.net Comments: ☐ WRITTEN ☒ ORAL

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Comments Concerning Shale Development and Hydraulic Fracturing

By

Dr. Stephen A. Holditch

Professor Emeritus

Texas A&M University

National Academy of Engineering

January 21, 2015

I began working on Hydraulic Fracturing of Low Permeability Reservoirs in 1970 and have published over 150 papers, most of which involve the subject of fracturing or low permeability reservoir development. I ran a consulting company for over 20 years and we designed and supervised hundreds of fracture treatments, many of those were Austin Chalk or Buda wells in Brazos County. We drilled dozens of wells in Brazos County, many under the city limits of Bryan and College Station, to include a few under the Texas A&M campus in the Bryan Woodbine Field.

In my 44 years of work experience, research experience and developing oil and gas in Brazos County, I have not experienced any serious issues with the process of using hydraulic fracturing to develop oil and gas reservoirs. Of course, some people do not like the noise, or truck traffic, or lighting involved with a drilling rig, but that is a temporary nuisance, as the rig will disappear in a few weeks or months. However, the resulting oil and gas production results in enormous benefits to the mineral owners and the taxing entities, such as the city, the county and the school districts.

Even more important, the development of shale resources in North America over the past 5 years has substantially increased the energy security of the United States, making us less reliant on foreign governments to supply us with oil. In fact, the energy industry in the United States has been so successful that the price of oil has been reduced by more than 50% (from over \$100 per barrel to around \$50 per barrel), and the price of gasoline has plummeted, which benefits every citizen who likes to drive their automobiles for work and for pleasure. It should also be understood that as the industry slows down and reduces the pace of development, supply and demand will rebalance and the price of oil will increase, but most experts believe it will take several years and may not reach \$100 per barrel any time soon.

Now back to the issues that some groups and individuals want to talk about – water and air emissions, noise, and truck traffic. I served on the Secretary of Energy Advisory Board Subcommittee in 2011 where we conducted a 6th month study on these issues for the U.S. Department of Energy. The report from this study can be found at

http://www.shalegas.energy.gov/resources/111811_final_report.pdf

The report concluded that shale gas resources can be safely developed, but that the energy companies must follow best practices to protect the environment and the public. Since the report was published, it is clear that the companies developing shale reservoirs are aware of these

issues and take the appropriate steps to protect communities and the environment. If they do not, they will soon be out of business.

Prudent operators also welcome regulations that are clear, beneficial to all parties, while not restricting the lessee or the lessor's right to develop its minerals. It should be understood that hundreds of thousands of wells have been drilled into low permeability reservoirs and millions of fracture treatments have been pumped in North America and there are no documented cases where hydraulic fracturing has caused problems with the fresh water aquifers.

Below are quotes from 5 Obama appointees to support the view that shale development and fracturing can be done safely.

The proposed ordinance being considered by the City of College Station is important – to all parties. Oil and gas operating companies are regulated by a plethora of federal, state and local laws, regulations and ordinances. The proposed ordinance by College Station is very detailed and contains many issues that are already regulated by the federal government, such as the EPA or State Agencies such as the Texas Railroad Commission. The proposed ordinance spells out in great detail how the oil and gas operator and the city staff should work together on virtually all issues.

It appears that the main issue that is being discussed in the College Station proposed ordinance is the setback from the oil and gas drilling site to the nearest building. The proposed ordinance has a 600 ft. setback for most buildings, including homes, and 1,000 ft. from buildings such as schools and hospitals. These distances are reasonable and should be approved by the City Council. Some apparently want the distance to be increased to 1,500 ft. for all structures. Such a distance would eliminate many possible drill sites within the city limits of College Station, which would prevent some private mineral owners from having their minerals produced and would eliminate tax revenue to the city, county and the school district.

The real effect of making the required offset 1,500 ft. or more is to try to prevent oil and gas development altogether. Shutting down 'drilling' and 'hydraulic fracturing' is just the tactic being used by many organizations who are just plain against hydrocarbon development.

All of the fear mongering about water pollution or air emission issues that have been in the news for the past few years have little or no merit. Every 'case history' published about these perceived problems have been debunked with facts. On Sunday, January 18, there was an article in the Washington Times entitled 'The myth of the methane menace'. This is just one of many articles that debunk the arguments of those trying to shut down oil and gas development with faulty claims.

I encourage the College Station City Council to pass the proposed ordinance, as is, to allow for the responsible development of the oil and gas found under the city limits. The proposed ordinance is sufficient to ensure qualified companies will develop the minerals under the city limits, which will benefit all taxpayers.

Quotes from Obama officials:

Ken Salazar, former Secretary of the Interior, speaking at NAPE in February 2014

- “I would say to everybody that fracking is safe”
- “We know that, from everything we have seen, there’s not a single case where hydraulic fracking has created an environmental problem for anyone.
- We need to make sure that story is told.

Gina McCarthy, EPA Administrator

“There’s nothing inherently dangerous in fracking that sound engineering practices can’t accomplish”,
National Journal 11/6/13

Lisa Jackson, former EPA Administrator

I’m not aware of any proven case where the fracking process itself has affected water”, U.S. Senate
hearing 5/24/11

Ernest Moniz, Secretary of Energy

“I still have not seen any evidence of fracking per se contaminating ground water”, Washington
Examiner 8/2/13

Steven Chu, Former Secretary of Energy

“This (fracking) is something you can do in a safe way”, Columbus Dispatch 9/18/13



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Name: Kevin Burgess Phone: 979-574-7464

Address: 12036 Munson Ave

Email: College Station TX 77840 Comments: ☐ WRITTEN ☒ ORAL

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Name: Obie O'Brien Phone: 713-296-6150

Address: 11515 Lakeside Place Drive, Houston, TX 77077

Email: obie.obrien@usa.apachecorp.com Comments: ☐ WRITTEN ☒ ORAL

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Name: Richard Woodward Phone: 979-703-6470

Address: 1001 Pershing Dr., College Station, TX 77840

Email: rtwoodward@gmail.com Comments: ☐ WRITTEN ☒ ORAL

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Name: Marty Alliday Phone: 713-201-5434

Address: 2211 Norfolk #410, Houston, TX 77098

Email: martina11day3@mindspring.com Comments: ☐ WRITTEN ☒ ORAL

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Address: 1108 Merry Oaks Dr., College Station, TX 77840

Email: phoenixdeni@yahoo.com Comments: ☐ WRITTEN ☒ ORAL

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PUBLIC HEARING SIGN-UP FORM

Regular Meeting Date: 1/22/15
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**** Please PRINT all information ****

Name: Patricia Bailon Phone: 979-485-9697

Address: 3907 Lambermont Dr., College Station, TX 77845

Email: pat.bailon@yahoo.com Comments: ☐ WRITTEN ☒ ORAL

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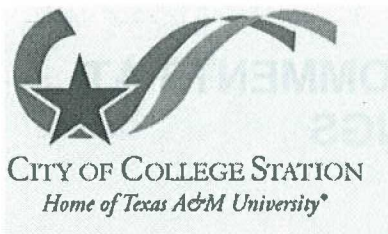
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PUBLIC HEARING SIGN-UP FORM

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**** Please PRINT all information ****

Name: Bill Whitehead Phone: 979-693-7489

Address: 8604 Walnut Bend, College Station, TX 77845

Email: bwhitehead@schubarthinc.com Comments: ☐ WRITTEN ☒ ORAL

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PUBLIC HEARING SIGN-UP FORM

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**** Please PRINT all information ****

Name: Tricia Davis Phone: 512-284-0212

Address: 22301 Hamilton Pool Rd., Dripping Springs, TX 78620

Email: tricia@texasroyaltycouncil.com Comments: ☐ WRITTEN ☒ ORAL

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**** Please PRINT all information ****

Name: Joseph Landsberg Phone: 979-260-3143

Address: 1706 Brazoswood Dr., College Station, TX 77840

Email: landsberg.josephm@gmail.com Comments: ☐ WRITTEN ☒ ORAL

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CITIZEN COMMENT SIGN-UP FORM

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~ Please **PRINT** all information ~

Name: Shelley C White Phone: 979 777 0383
Address: 902 Grand Oaks Cir, CS TX 77840-2198
Email: S.cashion@whitcashionlaw.com Comments: ☒ WRITTEN ☐ ORAL
Comments are presented for: ☐ HEAR VISITORS ☒ AGENDA ITEM # 2 14-897

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I wanted to write in opposition to the proposed regulations. I am confident that no proponent of these regulations actually owns developable minerals in the City of College Station. If so, I am sure they would be on the other side of this issue.

The companies who have leases on our land have made it very clear that anything in excess of a 600' setback requirement amounts to a total ban on drilling within the City Limits. That would constitute a "taking" without compensation of property that does not belong to the City, and would place the City in the same posture that the City of Denton sits in: being sued by the Texas General Land Office the day after the regulations were put into place. I am sure you have seen a copy of that litigation. If not, I am attaching a copy of the petition for your review. We are informed that a 600' setback is the most available to the FEDERAL government, as well as the STATE OF TEXAS, for their most sensitive sites. Yet the City of College Station asserts that ALL residences and commercial buildings are "sensitive sites," and the opposition wishes to raise the setback to 1500.'

As well, we are advised that the Office of General Counsel at Texas A&M takes the position that your ordinances do not and cannot apply to the University. In fact, when one of our operators asked Texas A&M for one of your "waivers," they were told that Texas A&M was not subject to your ordinances and therefore would not sign a waiver.

As Texas A&M is the biggest landowner in the City limits, enactment of your ordinances will set up a situation in which similarly situated persons are treated unequally. Is that your intention? If Texas A&M is correct and the City is wrong, then the easiest route for many landowners to take will be to sell their mineral interests to Texas A&M for a deferred payout equal to some high percentage of the royalties to be received. This would be free money for Texas A&M as well as taking huge bites out of the City's tax base.

If these ordinances are enacted in excess of 600', we will be putting together a group to file suit against the City. I have already contacted two Houston law firms which make a good living every year prosecuting condemnation cases on a contingent fee basis against local municipalities. As well, the Kemp firm in Austin that already represents the General Land Office will receive a telephone call about putting together a class action lawsuit. Such a lawsuit will always ask for attorneys' fees and costs to be awarded against the City. If possible, we will seek to join the appropriate State authorities, as the City's actions will have deprived the State of the severance taxes and may well have an impact on the Permanent University Fund. (Not to mention the impact on Brazos CAD.)

Finally, I am confident that most of the council have not read the current draft of the ordinance. (Neither have our operators, by the way, had a real chance to study it – despite City Staff telling them that they had been working on this for "months," our operators received the current draft on Tuesday of last week and were told that they had 36 hours to comment.) There are many, many issues easily identifiable in the draft that will have to be repaired, not to mention "gotchas" that haven't been identified at this date because of lack of opportunity to comment. (Examples: reference to a Texas Water Resource Board, which as far as I know, does not exist. Open-ended rights to refer out to for-profit third parties to do the work in lieu of the City to approve a permit, with no limit on fees, all of which must be borne by the operator. Many more are available.) These hastily cobbled-together regulations, which have

not been available for adequate industry review, exceed in length the Rulebook for the Texas Railroad Commission, which governs all State oil & gas activities.

Enacting an ordinance without adequate industry review invokes memories of Nancy Pelosi's famous comment about Obamacare that "we have to enact the bill in order to know what's in it." We deserve more from our City Officials and Staff.

I personally believe that City Staff is hurriedly putting up an ordinance in reaction to pressure brought by people with no ownership interest in minerals, no real understanding of technology involved, and fear-mongering whipped up by people who don't know what they are talking about. What is really sad is that we have, in this community, the expertise of Texas A&M's petroleum engineering and geology departments. As far as I know, the professionals who actually understand what is going on with the technology are supporters of the use of the technology. The fear-mongering is done by persons with no expertise in the subject matter.

If the City acted more calmly and deliberately, it would wait to see the outcome of the litigation is pending in Travis County concerning the City of Denton. The City would await the legislative action on the bills currently pending in Austin to take away any fracking regulatory authority from municipalities. The City would not, as it is now, react to emotional fear-mongering which is unsupported by fact or agreement from the experts at Texas A&M.

Shelley Cashion White

902 Grand Oaks Circle

College Station, TX 77840-2198 (mailing address: PO Box 5727, Bryan, TX 77805-5727)

Mobile 979 777 0383



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Name: Gunnar Schade Phone: 979 571 7466

Address: 800 Thomas St.

Email: gvschade@yahoo.de Comments: ☒ WRITTEN ☒ ORAL

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Will send PP



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Name: Todd Staples Phone: 512-478-3303

Address: 304 West 13th St., Austin, TX 78701

Email: tstaples@txoga.org Comments: ☐ WRITTEN ☒ ORAL

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PUBLIC HEARING SIGN-UP FORM

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Name: Richard White Phone: 979-204-9135
Address: 2233 Rockingham Loop, College Station, TX 77845
Email: white.rich@heb.com Comments: ☐ WRITTEN ☒ ORAL

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PUBLIC HEARING SIGN-UP FORM

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Name: Sarah Witherspoon Phone: 979-693-7813

Address: 1401 Post Oak Circle, College Station, TX 77840

Email: sjwitherspoon1@gmail.com Comments: ☐ WRITTEN ☒ ORAL

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PUBLIC HEARING SIGN-UP FORM

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**** Please PRINT all information ****

Name: Mason L Red Cashion Phone: 979-515-5898

Address: 3040 Hickory Ridge

Email: redcashion1@verizon.net Comments: ☐ WRITTEN ☒ ORAL

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PUBLIC HEARING SIGN-UP FORM

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Name: David Alexander Phone: 325-665-8040
Address: 2216 Crescent Pointe Parkway, College Station TX 77845
Email: david.alexander@tcobusiness.com Comments: ☒ WRITTEN ☐ ORAL
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City Council, City Staff, and Other Interested Parties, My name is David L. Alexander and I have residences in College Station and Abilene along with surface and minerals interests in a 55 acre undeveloped tract in the Wellborn area my family has continuously owned for about 80 years. I currently own oil and gas working interests in several wells in the City of Lubbock (several of these are on the Lubbock Country Club and Hillcrest Country Club golf courses). Certainly any kind of business activity has its effect on those living close to such activity. In our great country, we usually figure out a way to co-exist for the benefit of all.

I am currently the co-managing partner of a firm in Fort Worth, Acoustical Control, LLC, devoted solely to noise abatement in the oil and gas business. Our website (<http://acousticalcontrol-llc.com/>) gives real world examples of how this is done for the mutual benefit of the homeowners and oil companies. We have successfully solved noise problems in numerous states over several years.

My requests are pretty simple:

1. Don't over-regulate to the extent that you are effectively taking my minerals without any compensation
2. The Texas Railroad Commission has effectively regulated the oil and gas business for decades. Use them as a resource for reasonability. They are committed to a safe and environmentally friendly oil and gas operating environment. Talk to the City of Fort Worth. Fort Worth certainly pioneered a mutually beneficial relationship in their city.
3. Lastly, there is an economic benefit of oil and gas activity. One of those benefits is a higher tax base. Our property taxes for the City of College Station, A&M Consolidated ISD, and Brazos County will be favorably impacted with with reasonable but not excessive regulation.

Thank you for your time and please contact me if you have questions.

Respectfully,

David L. Alexander



PUBLIC HEARING SIGN-UP FORM

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Name: Calleleh Bonugli Phone: 210-884-3873
Address: 5136 Drake Drive, College Station, TX 77845
Email: cbonugli@gmail.com Comments: ☐ WRITTEN ☒ ORAL
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PUBLIC HEARING SIGN-UP FORM

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**** Please PRINT all information ****

Name: Jon McMurcy Phone: 979-777-1714

Address: 3400 Mustang Ln., College Station, TX 77845

Email: dist7461@hotmail.com Comments: ☐ WRITTEN ☒ ORAL

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PUBLIC HEARING SIGN-UP FORM

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Name: Julian Mc Murrey Phone: 979-777-1714

Address: 3400 Mustang Ln., College Station, TX 77845

Email: dis17461@hotmail.com Comments: ☐ WRITTEN ☒ ORAL

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CITY OF COLLEGE STATION
Home of Texas A&M University*

PUBLIC HEARING SIGN-UP FORM

Regular Meeting Date: 1/22/15
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**** Please PRINT all information ****

Name: Donna Hanna-Calvert Phone: 979-696-3620

Address: 1004 Hereford

Email: dhc-namaste@hotmail.com Comments: ☐ WRITTEN ☒ ORAL

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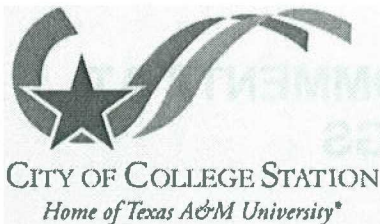
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**** Please PRINT all information ****

Name: Wendy Jepson Phone: 979 220 6708

Address: 726 Willow Loop, College Station, TX 77845

Email: wjepson@gmail.com Comments: ☐ WRITTEN ☒ ORAL

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PUBLIC HEARING SIGN-UP FORM

Regular Meeting Date: 1/22/15
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**** Please PRINT all information ****

Name: John D. Hastings, Jr. Phone: 713-650-8500

Address: 1021 Main St, Suite 2450, Houston, TX 77002

Email: jhastings@palomaresources.com Comments: ☒ WRITTEN ☐ ORAL

Comments will be presented for PUBLIC HEARING AGENDA ITEM # 14-897

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To Members of the College Station City Council:

I am a Petroleum Geologist and have practiced my trade for 31 years – throughout the United States, and in the Gulf of Mexico. I am a 1984 graduate of Texas A&M University with a Master's degree in Geology, and currently serve as a member of the Advisory Council for the Department of Geology and Geophysics. I am also a member of several industry organizations including the American Association of Petroleum Geologists, Houston Geological Society, and the Texas Independent Producers and Royalty Owners Organization.

I have worked for a major oil and gas company (Shell Oil), a small, public independent oil and gas company (Edge Petroleum), and a privately held company (Paloma Resources) in which I currently have an ownership interest. For the past 11 years, I have been involved in unconventional shale projects, all of which involved drilling through fresh-water aquifers, and hydraulic fracturing of the deeper reservoirs through which my company has drilled, and all of which have involved the safe, and environmentally responsible extraction of the hydrocarbons (oil and natural gas) from these shales.

The companies for which I have worked, including my current company, have been especially careful throughout the drilling and completion process to protect all fresh-water aquifers, and to contain all hydrocarbons in the production piping, containers, and ultimately the pipelines through which these hydrocarbons are produced. My company also has a history of working directly with the landowners under which we have drilled to make sure that all parties understand the process, and are kept safe. Paloma has operated and drilled wells in several urban areas in Tarrant and Johnson Counties, TX in the Barnett Shale, and in Karnes County, TX in the Eagle Ford Shale. In both of these projects my company closely worked with City Councils to make sure that our operations were conducted in a safe and responsible manner, and that all parties involved were informed of the drilling and completion processes. In all cases we operated within the ordinances that were in place, we operated safely and kept our landowners/stakeholders safe, and we felt that these ordinances were reasonable and adequate.

The oil and gas industry prides itself on making sure that the strategic resources that we are extracting are brought to the surface in a safe and responsible manner. Furthermore, Texas, and the town of Bryan/College Station have current ordinances in place that are effective, and that provide for the safe and responsible production of these resources. These resources are critical for our community, to Texas, and to our nation as a whole.

Therefore, I urge the council to maintain the current drilling and other oil and gas ordinances in place, and to refrain from enacting the proposed changes to these ordinances.

Respectfully,

John Hastings

John O. Hastings, Jr.

Executive Vice President

Paloma Resources, LLC

1021 Main Street – Suite 2450

Houston, TX 77002

713.650.8500

PALOMA
RESOURCES



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**** Please PRINT all information ****

Name: Sherry Ellison Phone: 979-696-6793

Address: 2705 Brookway Dr., College Station, TX 77845

Email: ellison@txcyber.com Comments: ☐ WRITTEN ☒ ORAL

Comments will be presented for PUBLIC HEARING AGENDA ITEM # 14-897

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PUBLIC HEARING SIGN-UP FORM

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Name: Denise Snyder Phone: —

Address: 8404 Turtle Rock Loop, College Station, TX 77845

Email: denisesnyder@live.com Comments: ☒ WRITTEN ☐ ORAL

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Comments are presented for:
Hear Visitors []
Agenda Item #: [x] 14-897

For written comments, please type below:

Re: Item 14-897 Adoption of an ordinance amending Chapter 4 "Business Regulations", Section 13 "Oil and Gas Regulations" of the Code of Ordinances, City of College Station, Texas; and amending Chapter 14 "Service Fees", Section 14-6 "Development services", Subsection A "Oil and gas development application fees" the Code of Ordinances, City of College Station, Texas.

I can not be there tonight because I am a fracking refugee, forced to leave the house my husband and I own in Emerald Forest. In December 2014 when the drilling going on in the County made me too sick to stay in my home, I left to see if my recent health problems would clear up when I got to cleaner air - they did.

This drilling/fracking was going on far beyond 600 feet, far beyond even 1,500 feet from my home, perhaps as far as 1/2 mile, 3/4 mile or further yet the noise, vibrations, fumes harmed me so much that I was forced to leave my own house.

Why is requiring the O&G industry to frack at a safe distance considered a 'taking' but the actual taking of existing homeowners' rights to use our property, including sleeping at night, breathing in our yards, and not having headaches from whatever they dump into the air seemingly not protected in spite of our hefty investments in purchase price and property taxes? Why can they come into our town and deny us our right to live in our homes, which we paid for? Why aren't surface owner rights at least on equal ground to mineral rights?

The Railroad Commission grants permits to drill/frack. They specifically are NOT ALLOWED TO CONSIDER SURFACE OWNER impacts!!!

Our state investigators have up to 30 days to come out and investigate an air quality complaint! Why don't we have permanent air monitors? What made me so sick? What was in our air that they don't want us to know about?

We need tough local regulations to ensure that those of us already living here are not run out of town and that our properties and families are protected.

Council and staff are bombarded with conflicting scientific reports and studies. This problem is easily overcome by speaking to residents and viewing communities that have already experienced the negative impacts of fracking, especially those in the Eagle Ford Shale area.

I encourage all of you to contact a former Oil & Gas man, living in Calvert, about 30 miles from CS - Robert Hicks at 512-585-5098.

His key advice and points are:

1 He was surprised by City of College Station proposed O&G regulations, they are not protective. We should make College Station O&G Regulations the model, they need to be protective of the public safety of our community, including students. This will also protect the property values of surface property owners. Without strong regulations the industry will put their profits before our environment and health and our property values will go down.

2. If you are 1500 feet away from a well that explodes you have no chance, especially during drilling; can only close out a well with a blow out preventer.

3. CS O&G Regulations must include evacuation & monitoring plans for every fracked well.
4. It is absolutely NOT TRUE that drilling a 10,000 foot well through a 3,000 foot aquifer is safe. He's been in oil patch and seen pipes pulled out and eat-up with chemicals - even stainless will not hold up.
5. The drilling & initial fracturing are just the beginning. Then things get worse: workover rigs, acidizing, pumping chemicals on a daily basis. When wells start losing pressure they come in with the compressor. He has seen compressors in Houston that are as big as a ship, the noise is incredible! Ear phones are required.
6. I asked him, based on us having about 7 wells so far going in behind us and Apache's statement about 50 to 100 wells going in, he said we could be looking at 25 years of air quality problems, longer with water.
7. Trucks - often won't obey speed and weight limits, tickets are a cost of doing business. 'Need for speed because of greed.' If the City gives them an inch they'll take ten miles.
8. Truck valves- leak and spread contaminated wastewater all over the land, including the roads.
9. Drip pots (I think that is what he called them) - he said due to problems, or missing, 1/2 gallon to 1 gallon for every fill-up will be spilled. Animals often drink this fluid and it will kill them, contaminates the ground.
10. When acidizing wells they will be using hydrochloric acid - important that our C&G regulations create a website that requires posting by companies so public knows where the wells are going in, what is going on and when they have leaks/releases so we can be prepared (to evacuate, etc.).
11. EVERY oil & gas well leaks (& vents). Dump valves can hang up & you could have gas released (can't smell). Hydrogen sulfide- we need to know the wells in our area - check drilling reports at RRC website.
12. Each well must be monitored & have 24 hour a day security. In Calvert, high school boys are drinking at pads.
13. The CS Council has an obligation to protect us - if people die due to lax regulations we will be sued.
14. CS Council needs to create new regulations that are protective of our community and learn from what is going on elsewhere. Lax regulations that don't address known problems encountered elsewhere will result in our having to deal with those same problems. They must be pro-active in protecting us.
15. Concrete (including casings) - deteriorates over years due to oxidation (about 75 years), tremendous pressure and temperatures underground.
16. Each site needs a wind direction sock.
17. The pipelines have eminent domain - they can put them where they want.
18. People should be checking on a well daily, they have to get contaminated water out.

19. Critical is the escaping gas - which must be flared, vented or or piped away - make sure this is done safely so that VOCs, etc don't contaminate our community.

20. CS Council must ensure that fees are charged to cover actual expenses.

21. If an explosion, etc occurs - what are our plans to notify people and get them out? Does A&M have emergency plans? If a well blows up YOYO - You're On Your Own.

22. Constant Vigilance will be required - speeding, leaking trucks -we'll need police response to have the truck stopped and have the valve replaced; fire crew to clean up the hazardous spill/leaks. EVERY DAY up there is a spill - gas, leak, oil, wastewater - these all should be reported, but aren't.

23. Videotape and 24 hour monitoring

24. Could be unlivable down here. Texas City is now called "Toxic City"

25. We ain't seen nothing yet. After the wells -worse - accidents with truck drivers, flipping trucks, compressors, pipelines, etc.

26. He's always available for free consultations - call him: Robert Hicks 512-585-5098.

27. Most people in Calvert wish fracking there had never happened. In 2-3 years we will be wishing the same. But then it will be: YOYO - You're on Your Own.

Council, at a minimum, please include the following items in our amended/final regulations:

1. No fracking well within 1,500 feet of any residence (currently 600 feet is allowed), school, hospital, park, or business.
2. Continuous on-site monitoring of air quality and noise to ensure compliance with local, state and federal laws and maximum dB exposures: 55 dB day; 45 dB night with real-time postings to public website.
3. Require vapor recovery on all tanks.

When voting on these regulations please, live up to the Mission statement of College Station City Council:

"On behalf of the citizens of College Station, home of Texas A&M University, the city council will promote and advance the community's quality of life."

Your highest priority must be our health, air and water quality, and natural resources, and keeping our roads and community safe. Place these rights ahead of short-term revenues, err on the side of caution.

There is scientific evidence that those living within 1/2 mile (2,640 feet) of fracking are at risk for increased health problems and I already endured (prior to leaving town) several linked to fracking: vomiting white foam, dry heaves, nausea, increased migraines and head pains and red eyes, insomnia. These new health problems are gone now. Don't let frackers make other people in College Station sick. Please protect us and please protect surface owner homes and property values.

Denise Snyder
bcstx.weebly.com



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**** Please PRINT all information ****

Name: Rusty Adams Phone: 979-204-9966

Address: 4403 Danby Ct., College Station, TX 77845

Email: rusty@rustyadams.com Comments: ☐ WRITTEN ☒ ORAL

Comments will be presented for PUBLIC HEARING AGENDA ITEM # 14-897

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**** Please PRINT all information ****

Name: John Wynn Phone: 979-314-4662
Address: 4416 Crayke, College Station, TX 77845
Email: johnwynn Comments: ☐ WRITTEN ☒ ORAL

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**** Please PRINT all information ****

Name: Stephen E. Ogden Phone: 979-776-2704
Address: Ogden Resources Corp. 3746 Copperfield Dr #103 Bryan TX 77802
Email: steveogden@ogdenresources.com Comments: ☒ WRITTEN ☒ ORAL

Comments will be presented for PUBLIC HEARING AGENDA ITEM # 14-897

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Comments on the Proposed Ordinance
City of College Station Oil and Gas Regulations and Fees
Agenda Item # 14-897
January 22, 2015

Thank you for the opportunity to submit written and oral comments concerning the adoption of an ordinance amending the Oil and Gas Regulations and related fees of the City of College Station.

On December 18, 2014, I submitted the attached written comments to city staff on the proposed ordinance and met with the staff and outside counsel on January 14, 2015 to discuss. I thank the staff for their time and consideration, as well as the changes to the proposed ordinance that were made in response.

If the ordinance's new insurance requirements will not be imposed on previously permitted wells, then I offer qualified support. Operators such as myself who are worth less than \$100,000,000 cannot and should not be required to obtain the prescribed amounts and types of insurance in order to renew our permits.

With respect to the feasibility of future projects, I have serious concerns. If the ordinance is adopted as written, Ogden Resources will not drill a new well in College Station even when oil and gas prices recover. The new requirements will simply cost too much time and money.

In my opinion, the amended ordinance expands the City's regulatory authority well beyond what has been more than sufficient for over 20 years. Its purpose to "...accomplish the orderly and practical regulation of the production of oil, gas, and related hydrocarbons and activities related to such production" probably exceeds your legal authority. If this ordinance is adopted and aggressively enforced, I believe there will be no new drilling in College Station and that the City may face lengthy and expensive litigation.

Respectfully,



Stephen E. Ogden
President, Ogden Resources Corporation
Manager, Ogden Eagle Ford, LLC
3740 Copperfield Drive, Suite 103
Bryan, TX 77802-5933
979-776-2704
steveogden@ogdenresources.com

**Comments on Proposed Amendments
City of College Station Code of Ordinances
Chapter 4, Section 13: Oil and Gas Regulations**

Introduction

Recent developments in oil and gas drilling and completions have caused a surge in US production. In Texas, oil production doubled from October 2011 to August 2014 primarily due to horizontal drilling and multi-stage fracking in shale formations. The Eagle Ford formation which underlies much of Brazos and Burleson County is one of these prolific shale formations.

Our local community has greatly benefitted in employment, economic activity and ad valorem tax revenue from this new oil and gas development. Additional benefits include cheaper gasoline at the pump and greater energy independence for our country. I recognize that Council has the duty to ensure that such benefits are not realized at the expense of the public safety and welfare, and to periodically review its ordinances to ensure they are adequate and constructive.

It is my opinion, however, that the proposed wholesale re-write of the College Station Oil and Gas Regulations is unnecessary, will effectively stop all new development and could eventually eliminate all oil and gas activity within the city limits. I recommend that the city update its ordinance by focusing on the two new drilling and completion techniques that warrant your attention: the use of oil-based (diesel) drilling fluids and multi-stage hydraulic fracking at elevated surface pressures (>5,000 psig). However, should the Council decide to proceed with consideration of the proposed sweeping changes, I would like to offer the following recommendations.

(1) Grandfather existing wells

Ogden Resources Corporation operates the Smith-Mohawk #1 well and recompleted it in the Austin Chalk in 2008. The surface location of this well is approximately 500' south of FM 2818 (Harvey Mitchell Pkwy.) and 900' northwest of Dowling Road. The well is located on undeveloped land adjacent to a College Station electrical substation. The Smith-Mohawk is commonly considered a "stripper well", meaning it produces less than 10 barrels of oil per day. Most wells in Texas (more than 75%) are stripper wells.

College Station's current Oil and Gas Regulations are demonstrably more than adequate to protect the public from the risks created by drilling and producing wells such as the Smith-Mohawk #1-RE. If the proposed amendments are adopted, future workover or re-entry projects on such wells would be economically and administratively infeasible. As a result, the operator's options are reduced to these: (1) prematurely plug the well, abandoning additional recoverable oil and gas; or (2) seek injunctive relief from the burdens of the ordinance.

I recommend that wells that have been permitted under the existing ordinance be "grandfathered".

(2) Allow the Council to waive provisions upon recommendation of the City Engineer

One especially troubling aspect of the proposed changes to the ordinance is the “one size fits all” perspective. It’s extremely unlikely that every provision is necessary and appropriate to every drilling project. A few examples: (1) Road Maintenance Agreements and related fees should not be required when access to a well is from a state highway or FM road. The agreement and fees are warranted only when heavy truck traffic is likely to damage city owned and maintained thoroughfares. (2) Noise abatement requirements make sense in quiet residential subdivisions. However, when a drilling location is close to a major roadway or railroad tracks, the ambient noise level is likely to exceed most of the noise produced by drilling and operating a well. (3) Mandating specific fencing and landscaping for all well locations is likewise inapt. It makes no sense to install expensive stockade fencing and landscaping on wells drilled on undeveloped agricultural-use land. It’s also possible that the fencing and landscaping requirements could interfere with the operator’s agreement with the surface owner.

I recommend that the City Council be authorized to waive provisions of the ordinance when, in the opinion of the City Engineer, a waiver will not endanger public safety, health or welfare.

(3) Delete or substantially modify burdensome/bureaucratic requirements

Requiring oil and gas operators to submit hazardous materials management plans, fire protection plans, emergency action plans and control of well plans is discriminatory and will not protect the public safety or health in any meaningful way. Any number of examples could be given of business or individual activities that present greater risk to public safety and health or more persistently disrupt the peace and quiet of the populace than does the drilling and completion of an oil or gas well. Gas stations pose a greater potential threat to public safety. Hazardous chemicals and other materials are used and stored – often in great quantity – by many businesses and individuals. Large tractor-trailer rigs and heavy trucks servicing all sectors of the economy impact the condition of local roadways. Singling out the oil and gas industry addresses only a fraction of the potentially harmful activity. Bureaucratic reporting requirements do not prevent accidents or mitigate damage.

I recommend deleting or substantially modifying the burdensome and bureaucratic requirements in the new ordinance.

(4) Reduce the insurance and bonding requirements to reasonable amounts

The new insurance requirements are excessive, prohibitively expensive, and in some cases, unattainable. Along with a \$100,000 performance bond for each permitted well, this presents an insurmountable obstacle for operators with a net worth of less than \$100 million.

I recommend that existing insurance and bonding requirements be updated for inflation only.

(5) Maintain current definitions of permit categories

The proposed changes in the definitions of Rural and Urban permits will effectively eliminate any possibility of a Rural permit.

I recommend leaving the current definitions of Rural and Urban intact.

(6) Regulate within the stated purpose of the ordinance

A city ordinance should not go beyond its stated purpose. The proposed ordinance already prohibits drilling in the 100-year flood plain. Requiring an environmental constraints study identifying potential wetlands and threatened and endangered species is unnecessary and exceeds the purpose of the ordinance. In another example, oil and gas operations are exempt from Groundwater Conservation District permits by state law. Requiring a plan for recycling flowback and produced water is beyond the stated purpose of the ordinance.

I recommend the deletion of regulatory requirements and reporting that are clearly beyond the ordinance's stated purpose "to protect the health, safety, and general welfare of the public and accomplish the orderly and practical regulation of ... oil and gas."

Conclusion

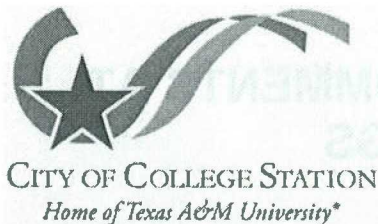
Years of experience demonstrate that the city's current oil and gas ordinance adequately protects the public interest. I recommend that changes to the ordinance focus on recent substantive changes in drilling and completion practices that could affect the public interest, specifically the widespread use of oil-based drilling fluids and high-pressure multi-stage fracking. If the Council disagrees, then I and my company can live with a completely new ordinance provided the objections noted above are addressed.

I would be pleased to discuss these recommendations with city staff and/or council members and I also offer the assistance of myself and my staff as may be useful in developing a better ordinance.



Stephen E. Ogden
President, Ogden Resources Corporation and
Manager, Ogden Eagle Ford, LLC
3740 Copperfield Drive, Suite 103
Bryan, TX 77802-5933
979-776-2704
steveogden@ogdenresources.com

December 18, 2014



PUBLIC HEARING SIGN-UP FORM

Regular Meeting Date: 1/22/15
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**** Please PRINT all information ****

Name: Randy Britten Phone: 922 0543
Address: 20 Box 503 Bryan
Email: — Comments: ☐ WRITTEN ☒ ORAL
Comments will be presented for PUBLIC HEARING AGENDA ITEM # 14-397

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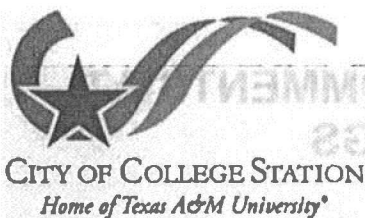
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PUBLIC HEARING SIGN-UP FORM

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**** Please PRINT all information ****

Name: CHRISTIAN BRANNSTROM Phone: 979 220 4916

Address: 726 WILLOW LOOP, CS TX 77845

Email: _____ Comments: ☐ WRITTEN ☒ ORAL

Comments will be presented for PUBLIC HEARING AGENDA ITEM # 14-897

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PUBLIC HEARING SIGN-UP FORM

Regular Meeting Date: 1/22/15
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**** Please PRINT all information ****

Name: MARY SASLOW

Phone: 979-575-1825
979-696-2226

Address: 1004 WALTON DRIVE CS TX 77840

Email: marysaslow@gmail.com

Comments: ☐ WRITTEN ☒ ORAL

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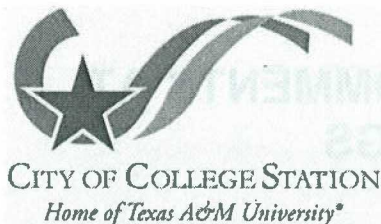
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PUBLIC HEARING SIGN-UP FORM

Regular Meeting Date: 1/22/15
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**** Please PRINT all information ****

Name: Henry W. Turner Phone: 979-693-5307

Address: 2508 Rainier CSTX

Email: gambol12@Suddenlink.net Comments: ☐ WRITTEN ☒ ORAL

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PUBLIC HEARING SIGN-UP FORM

Regular Meeting Date: 1-22-15
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**** Please PRINT all information ****

Name: Pui Zieger Phone: 979-777-0759
Address: 6001 Waldheim Grove Ln. Bryan, Tx. 77802
Email: pzi1@brazosgop.org Comments: ☐ WRITTEN ☒ ORAL

Comments will be presented for PUBLIC HEARING AGENDA ITEM # _____

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PUBLIC HEARING SIGN-UP FORM

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MM/DD/YY

**** Please PRINT all information ****

Name: David Sahn Phone: 979 324 1220

Address: 1017 James Parkway, College Station, TX

Email: daidsahn82@gmail.com Comments: ☒ WRITTEN ☒ ORAL

Comments will be presented for PUBLIC HEARING AGENDA ITEM # 14.897

FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

I speak /or write in favor of reasonable
restrictions on hydraulic fracturing. The current
ordnance, I believe, is reasonable and promotes
the citizen's^{safety} allows royalty owners access to ex-
ploit their minerals, and is reasonable for the industry.
I know as I have been the health, safety and environmental
officer of an oil field service company.

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PUBLIC HEARING SIGN-UP FORM

Regular Meeting Date: 1/22/15
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**** Please PRINT all information ****

Name: Dan Hill Phone: 512-789-2168

Address: 1003 Sonoma Circle, College Station, Texas 77845

Email: danhill@tamu.edu Comments: ☐ WRITTEN ☒ ORAL

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PUBLIC HEARING SIGN-UP FORM

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**** Please PRINT all information ****

Name: Kate Shafer Phone: 575-8210

Address: 201 Hartford Dr.

Email: kate-shafer@suddenlink.net Comments: ☐ WRITTEN ☒ ORAL

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PUBLIC HEARING SIGN-UP FORM

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**** Please PRINT all information ****

Name: Bill Bingham Phone: 979-764-0903
Address: 404 Fairview CS
Email: hammerandsaw@gmail.com Comments: ☐ WRITTEN ☒ ORAL
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PUBLIC HEARING SIGN-UP FORM

Regular Meeting Date: _____

MM/DD/YY

1/22/15

**** Please PRINT all information ****

Name: Nancy Plankay Vidale

Phone: 979-224-3489

Address: 1020 Francis Dr

Email: nanpv@hotmail.com

Comments: ☐ WRITTEN ☒ ORAL

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CITY OF COLLEGE STATION
Home of Texas A&M University*

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MM/DD/YY

**** Please PRINT all information ****

Name: Audrey PATTON Phone: 9797645749

Address: 306 COLUMBIA CT CSTX 77840

Email: audrey.patton@inbox.com Comments: ☐ WRITTEN ☒ ORAL

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READ AT PUBLIC FORUM CS CITY COUNCIL MEETING JANUARY 22, 2015

My name is Audrey Patton. I live at 306 Columbia Ct. in College Station.

Thank you, Mayor and Council, for hearing from the public. I'd like to speak on the proposed College Station Fracking Ordinance Update.

You all and City staff have obviously done a great deal of work and research preparing the draft that appears on the City's blog.

My only interest is that I breathe the air and drink the water here in College Station.

Air contamination can occur throughout the cycle of oil or gas production, from the hole in the ground, through the pipelines, storage tanks, transport trucks and the flaring of unused gas, and has been scientifically proven to cause immediate and long term health problems.

Children are particularly vulnerable. They are smaller, in closer contact with environmental hazards and have a longer lifespan for diseases such as cancer to develop.

The major burdens caused by nearby location of a drill site tend to fall hardest on the neighbors of mineral rights owners and property owners, who have some input in the process and who also usually receive compensation in small or even very large amounts.

These neighbors may suddenly find themselves surrounded by toxic fumes, contaminated water, loud noises and bright lights, not to mention huge trucks and equipment overburdening their roads and streets, with little recourse and no escape.

I'm here to ask, as a step in the right direction and following the lead of other Texas cities, including Dallas, that you consider amending the Fracking Ordinance Update draft with a location requirement that no Oil or Gas Operations Site be permitted within one thousand five hundred feet (1,500') of any inhabited or habitable structure or property line. Further, for added prudence and transparency, please add that air quality at the Site be continuously monitored by a third party; that testing be made available to the public; and that vapor recovery be required on all storage tanks.

Thank you for your time and for all you do.



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**** Please PRINT all information ****

Name: Mani - Gabrielle ALETRU Phone: 979 694-1469

Address: 2902 Brothers Blvd CS, TX 77845

Email: mgaletr@gmail.com Comments: ☒ WRITTEN ☒ ORAL

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See attached

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Fracking wastewater is so toxic that it is required to be permanently segregated from the water cycle. No evidence exists that industry has a financially viable, technically adequate solution. Numerous catastrophic contamination events have already occurred elsewhere.

Will the fracking wastewater sit in open pits - releasing toxins into the air and seeping into the ground? Will the fracking wastewater be forced into injection wells? This has caused numerous earthquakes (as has the fracking process itself) even in areas that have no prior history of earthquakes.

On average, 11 million gallons of water are used in College Station each day and we discharge six million gallons of highly treated effluent into local creeks. What will be fracking's long-term consequences - quality and quantity - to our local water resources?

If Apache uses the full five million gallons a day and Veterans Park uses its 250,000 gallons a day, that will mean only 750,000 gallons, instead of 6 million gallons will be returned to our local creeks - **what will be the impact of returning only 12.5%?**

Fracking also poisons the air, with releases and leaks of methane, VOCs & nitrogen oxides (both ozone precursors), and various other toxic chemicals. However, the nearest air monitor is over 45 miles away. How will we know when our air isn't safe to breathe? How many will get sick from polluted air?

Fracking economic analyses show expenditures necessary for road repairs (due to the thousands of very heavy truckloads) and other infrastructure costs exceed government revenues from fracking.

Fracking also has significant environmental and healthcare costs and brings with it noise, traffic, and reduced quality of life and lowered property values for nearby residents.

Fracking is now escalating in Brazos County. By the time the fracking boom ends here, there will be hundreds, possibly thousands of wells in our county, many within a few hundred feet of existing homes.

Is this the kind of growth we want?



PUBLIC HEARING SIGN-UP FORM

Regular Meeting Date: 1/22/15
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**** Please PRINT all information ****

Name: Joanne Mansell Phone: 979 846 1039

Address: 10021 Whites Creek

Email: Jmansell@cvm.tamu.edu Comments: ☒ WRITTEN ☐ ORAL

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FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

The Railroad Commission is relatively toothless in enforcing any regulations regarding fracking. Of companies found in violation of the regulations, only 2% have been penalized. Penalties by the city amount to \$2,000 for fracking violations, obviously of no deterrent value.

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- Do we really want to risk College Station's environment?
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PUBLIC HEARING SIGN-UP FORM

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**** Please PRINT all information ****

Name: Lawrie Sorell Phone: 979-229-5470
Address: 7704 Sherman Ct., CS
Email: LSorell@gmail.com Comments: ☐ WRITTEN ☒ ORAL

Comments will be presented for PUBLIC HEARING AGENDA ITEM # 14-897

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PUBLIC HEARING SIGN-UP FORM

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**** Please PRINT all information ****

Name: Cara Wallis Phone: 979-703-5161
Address: 7235 River Place Ct. College Station, TX 77845
Email: carawallis@gmail.com Comments: ☐ WRITTEN ☒ ORAL

Comments will be presented for PUBLIC HEARING AGENDA ITEM # 14-097

FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

I am asking that the council make a 1500 ft. setback.
from drilling wells. There are numerous reports
from areas where there is fracking where people
have complained about illness & pollution. Please
protect our citizens & think of the long-term
impacts of fracking.

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**** Please PRINT all information ****

Name: Mike McElary Phone: 219-0162

Address: PO Box 36 Wellborn TX 77881

Email: mpm010@TxCyber.com Comments: ☐ WRITTEN ☒ ORAL

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I Would Like To Be Last

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**** Please PRINT all information ****

Name: Swil Kang Phone: 979-571-5588

Address: 1706 Brazoswood Dr.

Email: _____ Comments: ☐ WRITTEN ☐ ORAL

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PUBLIC HEARING SIGN-UP FORM

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**** Please PRINT all information ****

Name: DAVID BURNETT Phone: 979 777 1975

Address: 706 PARK PL

Email: T6944@gmail.com Comments: ☐ WRITTEN ☒ ORAL

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Name: Lisa Halpern Phone: 693

Address: 1811 Shadowwood Dr C.S 77840

Email: ceepersmithhalpern@gmail.com Comments: ☐ WRITTEN ☐ ORAL

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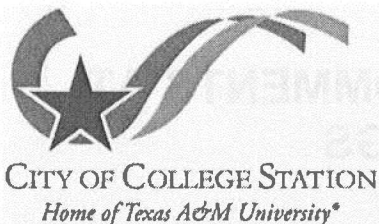
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Name: Matt Holseth - Halcon Resources Phone: _____
Address: 1000 Louisiana Houston, TX 77002
Email: _____ Comments: ☐ WRITTEN ☒ ORAL
Comments will be presented for PUBLIC HEARING AGENDA ITEM # _____

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Inquiries from speakers about matters not listed on the agenda will either be directed to the Staff or placed on a future agenda for Council consideration. **See reverse side for additional rules.**

MAIL, FAX OR EMAIL COMPLETED FORM TO:

City of College Station
City Secretary's Office – City Hall
1101 Texas Avenue, College Station, Texas 77840
Fax: 979-764-6377
Email: smashburn@cstx.gov

OFFICE USE ONLY:
(# in which received)

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PUBLIC HEARING SIGN-UP FORM

Regular Meeting Date: _____
MM / DD / YY

**** Please PRINT all information ****

Name: SARAH BROOKS Phone: ~~979~~ 979-402-6657
Address: 4740 Johnson Creek Loop CS
Email: sarah.d.brooks@gmail.com Comments: ☐ WRITTEN ☒ ORAL

Comments will be presented for PUBLIC HEARING AGENDA ITEM # _____

FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

☐ COMMENTS CONTINUED ON ATTACHED DOCUMENT OF _____ PAGE(S)

FOR ORAL COMMENTS:

1. YOU MUST SIGN UP PRIOR TO THE SCHEDULED MEETING
(At the City Secretary's Office during regular business hours, or from 5:00 p.m. to 6:45 p.m. the day of the meeting.);
2. YOU WILL HAVE ONE OPPORTUNITY TO SPEAK; AND
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